

**TOWN OF TUFTONBORO
PLANNING BOARD
January 31, 2019
MINUTES**

Members Present: Matt Young, Chairman, Jack Parsons, Kate Nesbit, Laureen Hadley, Members.

Members Absent: Tony Triolo, Vice-Chairman, Bill Marcussen, Selectmen's Representative, John Cameron, Member, Russ Steensma, Alternate.

Staff Absent: Lee Ann Hendrickson, Administrative Secretary.

Chairman Young opened the meeting at 7:07 PM.

I. Public Comment

None.

**II. Consideration of Minutes
January 17, 2019**

It was moved by Kate Nesbit and seconded by Jack Parsons to approve the January 17, 2019 Tuftonboro Planning Board minutes as submitted. All members voted in favor. The motion passed.

III. Scheduled Appointments/Public Hearings

a. 2019 Zoning Amendment

Chairman Young stated the public hearing for an amendment to Section 10.4.1 was continued from January 17, 2019.

Matt Young stated the Board further revised the proposed amendment at the last meeting and reviewed the following revision;

10.4.1 Limitations: Such occupancy of either tents or recreational vehicles on any lot **is limited to one (1) recreational vehicle and two (2) tents at a time. Additional tents or RV's may be available by permit. The use is permitted from April 15th to October 30th.**

~~**A. Limit to one (1) recreational vehicle and two (2) tents at a time. Additional tents or RV's may be available by permit.**~~

~~**B. Use permitted April 15th - October 30th.**~~

In addition, one of the following conditions **must to** be met:

~~**C.**~~ **A.** The lot has toilet facilities connected to an onsite operational subsurface septic waste system.

~~**D.**~~ **B.** Temporary maintained toilet facilities are provided on the lot at all times there is occupancy in either a tent or recreational vehicle.

C. In case of an RV with a septic holding tank, proof of proper disposal of septic waste at a State licensed facility must be available on site at all times and presented to the Code Enforcement Officer upon request.

Laureen Hadley questioned the intent of the change and asked if it is a sanitation issue.

Jack Parsons stated that was the issue two years ago.

Laureen Hadley confirmed the change is due to an issue relative to one lot.

Jack Parsons replied yes however, noted there was no language in the ordinance relating to septic and it became difficult to enforce. He stated the proposed amendment is actually broader.

Fenton Varney stated the way the ordinance is currently written would allow for people to live in a recreational vehicle.

Matt Young stated everybody agrees that they can camp on property they own but, also agree for excessive amount of tents every day of the summer.

Laureen Hadley asked what if a person wants 20 tents.

Jack Parsons stated the person can come see him and he will ask what will be done with regard to septic.

Laureen Hadley confirmed that if a person charges for the use of tents that it would then become a commercial use.

Fenton Varney stated the proposed amendment is reasonable and enforceable.

Laureen Hadley asked how it would be enforced.

Jack Parsons stated he would respond to the issue.

It was moved by Kate Nesbit and seconded by Matt Young to move Section 10.4.1, as written, to Town Warrant. Kate Nesbit, Matt Young, Laureen Hadley voted in favor. Jack Parsons abstained. The motion passed.

Steve Hunter asked if he could make a motion to not put on the bottom "recommended by the Planning Board."

Matt Young stated he doesn't know if the Board has the authority to do such.

Steve Hunter stated he feels that it would sway the vote.

Matt Young stated he could look into it but, doesn't know if it is legal or not.

Fenton Varney requested clarification of the vote.

Matt Young stated the Board voted 3 yes and 1 abstention.

It was moved by Jack Parsons and seconded by Laureen Hadley to close the public hearing. All members voted in favor. The motion passed.

**b. Fenton Varney
Pre-application Discussion; Site Plan Review for Excavation Operation
Tax Map #3-1-24**

Fenton Varney reviewed the site plan; noting the plan includes the abutters. He reviewed the overlay from Google Earth and oriented the Board to the location of the excavated area; noting such is approximately 66,000SF.

Jack Parsons questioned the size of the trees.

Fenton Varney reviewed such.

Matt Young questioned the location of wetlands on the property.

Fenton Varney stated he noted the brook on the plan.

Jack Parsons questioned the elevation in the middle of the area.

Fenton Varney replied 594.

Matt Young questioned the water table level.

Fenton Varney stated he would have Peter Cooperdock do a test pit in the spring. He stated the area being excavated is sand sitting on hardpan. He noted the finished slope is 2:1 or less and noted he put conservation mix on the property a couple of years ago. He asked if the Registry of Deeds would record a color copy.

Matt Young stated both the color and black and white copies could be placed in the file.

Fenton Varney asked if he should wait until the property can be walked to submit his application or if the application should be submitted now.

Matt Young recommended the application be submitted at this time and the Board could grant conditional approval.

Jack Parsons stated the excavated area will be flagged and elevation determined.

Matt Young requested the uses of the property be included on the plan.

Fenton Varney stated such is already noted on the plan.

Jack Parsons stated the next meeting is scheduled for 2/21/19.

IV. Action Items

N/A

V. Discussion Items

a. Planning Board Counsel

Matt Young stated Roger Murray was originally supposed to retire however, he may not be fully retiring. He stated the Board keeps running into technical questions and feels that the Board should be represented by an attorney that specializes in land use. He stated he and Jack Parsons were referred to an attorney in the Hatfield area.

Jack Parsons stated the Board should look into other attorneys.

b. Planning Board Staff Referrals

Matt Young stated that once the Master Plan update is done that Lee Ann will be stepping down. The Board has discussed options relating to such; noting he has not had the opportunity to speak with staff in Moultonborough.

c. Availability of Planning Board Records

Kate Nesbit stated Staff mentioned that she could upload the one page cover letter of the application on the website.

Matt Young stated he spoke with a couple of people including staff in the Town of Moultonborough who are opposed to the practice of uploading the applications on the website. He stated that now, as chair, he has gets emails from Staff, attorneys, applicants, etc.; noting there are typically a flurry of emails just prior to the meeting that would never make it on the website. He expressed concern for liability of such. He stated the Board agreed to make improvements to make the files more readily available.

Jack Parsons stated Staff now includes the application with the abutter notice.

Joe Kowalski asked who will be taking over Matt Young's position when he is done. He asked if anyone has reached out to Fenton Varney.

Fenton Varney stated he would wait two months to request appointment. He asked the chair if he spoke to Bill Marcussen about his appointment to the Planning Board.

Matt Young stated he speaks to him at every meeting. He stated he has made it clear that come spring he can no longer be chair.

Jack Parsons stated Bill has stated that he will bring it up to the BOS.

Joe Kowalski confirmed it is the BOS' pervue to appoint members.

Matt Young stated he spoke with Gary Qua.

The Board reviewed the current membership of the Board.

Joe Kowalski asked if the Board has to notify the alternate to show up.

Matt Young stated that if there is a question of whether there will be a quorum, Staff will email the Board and ask who will be attending the meeting. He stated he spoke to Randy Fournier however, he does not have the time.

Laureen Hadley stated her daughter and husband are moving back to the area and she has recommended them to get on the local boards.

Jack Parsons stated there is so much more work without a Town Planner.

The Board and public discussed the workload, past and current, of the Board.

VI. Informational Items

N/A

VII. Other Business

Sargent Excavation Operation

Matt Young stated he received a call from Mary Jane Sargent inquiring about the Planning Board process; noting he provided her the information the Board has given to Fenton Varney and Steve Hunter. He stated due to the proximity of her and Fred Sargent's pit to the Carleton pit he feels the owners should work together (with regard to the slopes).

VIII. Public Comment

N/A

It was moved by Jack Parsons and seconded by Kate Nesbit to adjourn the January 31, 2019 Tuftonboro Planning Board meeting. All members voted in favor.

There being no further business before the Board, the meeting adjourned at 7:49 PM.

Respectfully Submitted,

Lee Ann Hendrickson

Lee Ann Hendrickson