

# Woodstock Planning Board Meeting Minutes

Date: December 19, 2022 Time: 6:00 pm

Woodstock Town Office Building, Lost River Road

## 6:00 pm- Call to Order

Roll Call Attendance Planning Board:

Bonnie Ham, Scott Rice, Robert McAfee, Margaret LaBarge, Diane Tardiff, Jerry Miserandino, Christina Payne

Absent: Patrick Griffin

Staff Secretary: Cathy Riley

Public Attendance: John Kimball, Rex Caulder, Cheri Caulder, John Payne, Kevin Foley

Zoom Attendance: Annie Glancey and Michael Ratchford

Jerry motioned to appoint Christina Payne as a voting member. The motion was seconded by Scott, and the vote was affirmative.

Approval of Minutes from July 11, Aug 8, Nov 1. Scott motioned to approve the minutes, it was seconded by Robert, and the vote was affirmative. There were no Quorum for November 14, and November 18 was an excavation site visit.

**Selectmen's Report:** Scott stated the board is working on approving the budget to prepare for Town Meeting, and well as organizing grants.

## **Subcommittee Reports:**

Bonnie and Christina worked on the **Master Plan** instead of Subdivision Regulations. Having reviewed Master Plan and the RSA, they noted that the Master Plan needs to reflect desires of the town's residents. They worked to create a boilerplate that can be used to collect feedback from residents during a meeting to be scheduled in January. Board members were given copies of the draft in their board packets. Information about trees, rivers, etc. has been removed and the plan has been streamlined to a boilerplate outline including vision and land use. The vision is not only good for Woodstock, but what also is good for the region and the state. There is a lot that needs to be filled in. This is a drastic reworking of the document to allow us a fresh start that truly reflects what the citizens want and how we would like to see the town grow and develop in the future. We have the right to give input into projects developing in Lincoln as well since we share many facilities and it affects us. We may wish to take more interest and active part in discussions about their growth in as much as it impacts our future.

This is a starting point, food for thought, and clearly needs further discussion with the people of the town.

## **Subdivision Regulation Committee Report**

Bonnie, Robert, and Margaret had taken a first look at this and realized it was a very large job requiring some legal expertise to ensure that we did not miss important details. Laura offered to take a first pass working through it. North Country Council has also offered.

Jerry motioned to get quotes for legal support for the revision; Scott seconded, and the vote was affirmative.

### **Earth Excavation Committee Report**

Jerry and Diane worked with Laura, who made some suggestions, basically some semantic word changes (“shall” replacing “should”). Example in Section 6: Projected site requirements “should be incorporated” was changed to “shall be incorporated” further down section 6. To harmonize with the remainder of the items to avoid gray areas. Robert felt that the word “shall” should be changed to “should” to give the board more options. Bonnie feels we should have a hearing on the exact wording.

For other recommended by the attorney, Jerry brought up Section 7-D, which covers action on permits, as specified in RSA, the attorney recommended that “work may proceed on portions of the site not requiring state permits until those permits are received” should be added.

A question was posed from John Kimball as to whether this change is compliant with RSA 155-E. He wanted to know if our regulation is stricter than the RSA, or does it take precedence. Our town attorney is a municipal attorney and would not have advised the board to add something that would contradict state regulations.

It was stated that Planning Board should schedule a public hearing for this ordinance. Perhaps also a listening session for the Master Plan on the same evening as the January meeting.

### **Floodplain Management Ordinance and FEMA Requirements Committee Report**

Cathy took the recommended changes from the OPD and plugged them into the Shoreline Protection ordinance. Scott has a few questions for clarification regarding the meaning of “Mean Sea Level”, and then a draft will be emailed to everyone before it is sent for voting at Town Meeting. One important change is that if more than 50% of the appraised value of a building is changed, the building permit requires that the building no longer be grandfathered – it must be brought up to current code. It will be continued to be worked on, and will also be brought up at the next meeting, as well as a boundary line adjustment.

For Shoreline protection there are just 2 areas: Pemi River and Lost River up to Jackman Brook. These regulations are pretty strict already and there is no reason to make them stricter. There is no vote required to retain these minimum Shoreline Protection requirements. Per the town counsel, State law applies automatically.

### **Report on Excavation Pit Visits**

The visits on December 14<sup>th</sup>, and 18<sup>th</sup> were very informative, as the board received significant support and information from the site owners and learned quite a bit about the history of the pits and the process of earth excavation. The board was well received and appreciated the cooperation and assistance in completing the inspections thoroughly. No violations were found.

**Master Plan Discussion:** Further discussion will be held at the January 9<sup>th</sup> meeting.

### **Correspondences Received:**

Notice of DES filing of Shoreline Impact statement for 11 Sugar Plum was received.

A letter was also received from an abutter to the former Devine property. They asked about any intent to excavate on former Devine property. They also attended via Zoom, and asked Rex questions directly. Later in the meeting, Rex confirmed that there are no plans for further earth excavation on that property.

### **Short term rentals:**

Scott stated that Charyl is leading the investigation of this topic on behalf of the Select Board.

There will be a process to ensure safety. Nothing has been decided yet regarding fees, we are reviewing what other towns have in place. There have been a couple of incidents, not enough to warrant creating reporting yet. The intent is to take action now before it becomes a problem so that procedures are already in place to prevent serious issues from occurring and so that we have contact people in the event that there is an incident.

### **Other Business:**

We received a request from Steve LaFrance for confirmation regarding a proposed development of a 30+/- unit manufactured housing development for seniors on Map 115 Lot 9.

The Town attorney, Laura Spector-Morgan has stated that this is a subdivision because the work "site" is being used. A second opinion from a state local government center, which we cannot get in writing since they only consider it advice, is that it is not a subdivision. We need to make a choice what position we take and we will need to be consistent going forward with how we proceed in any further projects of the same type.

It was suggested that Laura should be present to address these questions directly, and state what difference it makes for the residents of the property as to whether it is a subdivision or not.

Cheri Caulder suggested that maybe wait until the plans are created and then present to the attorney.

After much discussion on this subject, there was a motion made by Scott to follow the local Government Center's advice and say that it is not a subdivision. The motion was Seconded by Robert, Bonnie voted no – and all others yes.

Margaret will notify Steve LaFrance that the project is not a subdivision.

### **Public Participation:**

Questions were raised by John Kimball regarding a valid permit still in place and restoration of the Devine property, and to ensure that we are aware of what the requirements are. There are options in place to require restoration if needed, but Rex confirmed that there is no excavation happening there.

### **RSA 205-a to discussion on Rex's project.**

John Payne presented a letter of intent as a new Planning Board alternate. The Letter will be scanned and sent to Board members by Cathy.

### **Adjournment:**

A motion to adjourn was made at 7:40 pm by Scott, Robert seconded the motion, and the vote was affirmative.