

1 **Planning Board**
2 Town of Greenfield
3 Preliminary Meeting Minutes
4 Recorded by Michelle Hall
5 April 22, 2019
6

7 **Members Attending:** Kat Carpenter, Rob Wachenfeld, Mason Parker, Robert Marshall, Ken Paulsen,
8 Neal Brown, George Rainier,
9 **KPaulsen** will be a voting member tonight.

10
11 **6:33pm KCarpenter called meeting to order** and went over tonight's agenda.
12

13 **KCarpenter** read the minutes from April 8th meeting.
14

15 Line #8- add Neal Brown, remove Ken Paulsen

16 Line #19- KPaulsen

17 Line #41- change to state 'GRainier moved that the minutes be approved as amended. MParker
18 seconded. 6-0-0.'

19 Line #52- change to 'haul to the dump'

20 Line #54- add 'is' after diameter

21 Line #55-change to '231;150'

22 Line #57- change 'approved' to 'approve'

23 Line #59- change 'form' to 'from'

24 Line # 14,15- change 'Dorine' to 'Dorene'

25 Line #61- change 'PPC' to 'PCC'

26 Line #60- change 'in applied' to 'is applied for an application'

27 Line #64- change 'gets' to 'get'. Change MParker 'explained' to 'answered.'

28 Line #65- Remove 21 days before meeting. Change to 'for an application submission time'

29 Line #66- change to 'that the submission to be completed by'

30 Line #67- change to 'case numbers'

31 Line #68- Add 'RMarshall made it very clear that CShaw assigns the case numbers.'

32 Line #71,72- change 'light work' to 'leg work.' Add 'he and KPaulsen will meet with department heads
33 throughout the month of May.'

34 Line #75- change 'Capitol' to 'Capital'

35 Line #82- Change to 'Procedures and Application Checklists'

36 Line #80- Change to read 'discussing the collaborative board meeting this week.'

37 Line #84- Remove "Both planning board and applicant have to check off.'

38 Line #95- Change to 'to the planning board' and remove 'to the public'

39 Line #96- 4-unit remove the 's'

40 Line #110- Change 'raised' to 'razed'

41 Line #116- delete 'discussed that it is closed hearing'

42 Line #120- Change 'council' to 'counsel'

43 Line #123- involved 'the taking of land'

44 Line #138- Change to 'MParker stated that a lot line, straightening the "jog". According to
45 NHManicioke.org'
46 Line #143- Change to 'RMarshall motioned that we table the deliberations until May 20th. RWachenfeld
47 seconded. 5-0-1.'
48 Line #150- Change 'Steel' to 'Steere'
49 Line #155- change to read 'for noticing the power line tree trimming hearing'
50 Line #167- change 'The' to 'They'
51 Line #170- Add 'He read the vision statement from the master plan. He read .4 of master plan.'
52 Line #172- permit not permits
53 Line #180- Fire Marshal
54 Line #183- Add 'They rented it instead'
55 Line #186- Add 'by today's code you will need to install a sprinkler system.'
56 Line #191- MParker read Section III.(A)1b
57 Line #198- Change 'Applicant stated' to 'MBorden stated'

58
59 **NBrown, KCarpenter and RMarshall** all discussed ideas for going over meeting minutes and posting of
60 them.

61
62 **NBrown** motioned that the minutes be approved as amended. **RWachenfeld** seconded. 7-0-0.

63
64 **Mail:** There was no mail to be discussed.

65
66 **7:31 pm Deliberation V3-9, 8 Slip Rd Wheeler**

67 **KCarpenter** opened deliberations. She explained that she contacted Gill Morris, Chair of Greenfield ZBA,
68 and explained what they discussed. The applicants will need to apply for a variance. According to the
69 ordinance they would need 6 acres for the 4-unit building, they need to apply for a variance . The other
70 issue the planning board needs to discuss is if the proposed off street parking out front is in the towns
71 right of way or not. Can parking be allowed in the front of the building? There is also a waiver request
72 for the size of those two spots.

73 **KCarpenter** asked for the applicant to explain what he would like to do. She asked for Mr. Wheeler to
74 briefly explained to the board what he would like to do, as there are new members on the board who
75 need to be caught up.

76 Heather Peterson, Mr. Wheeler's representative, explained to the board that Mr. Wheeler purchased
77 property in 2007 and paid for the quarterly town septic fees, then market crashed, now he doesn't have
78 time to renovate. Mr. Wheeler had cleanup crews out but he hasn't been able to find a buyer due to the
79 current condition.

80 **RMarshall** questioned **KCarpenter** why there are 2 different applicants for the same property.

81 **KCarpenter** explained that Green Tech Home Builders have a PCC, not an application, as they are
82 potential buyer who have a completely different idea than Mr. Wheeler on what to do with the
83 property. She went on to explain that Green Tech Home Builders wanted to approach the planning
84 board to get an idea what the planning board thought about their ideas and what would be required for
85 approval. **KCarpenter** explained that if Mr. Wheeler gets his application approved than he could be
86 selling the approval or making the conversion himself. They are trying to get approval for a 4-family
87 residence inside this lot within the existing structure. They will need to go to ZBA for the variance.

88 **MParker** and **KCarpenter** discussed what the contingencies would be if this were approved tonight.

89 **RMarshall** stated that if planning board were to deny the applicant the use of front parking, then the
90 applicant can still go to ZBA for a waiver. **RMarshall** explained that lot requirement requires a variance
91 and parking waiver. **MParker** would like to know what the planning board can do for waivers instead of
92 sending applicants to ZBA for a variance.

93 **KCarpenter** explained waiver can be something gentle but cannot go against the Zoning Ordinance as
94 there are specific criteria to follow. If not specifically stated in the ordinance it is the planning boards job
95 to discuss whether to act upon or to send to ZBA. Some things may require special exception. In the case
96 of the 1.5 acre per unit requirement there is no doubt that a variance would be required.

97 **KCarpenter** went on to discuss waivers requested from applicant. The 2 parking spots in front of the
98 building- does anyone have comments to this? The planning board discussed the parking concern.

99 **KCarpenter** explained that the property is approved for 1 family residence, due to lapse of use, with a
100 waiver for 2 parking spots out front. She read the history of the property as provided by the Greenfield
101 CEO. It has never been more than a legal 2-family property in this history.

102 **KCarpenter** asked the board if anyone had any questions. The planning board began discussing approval
103 of the two parking spots out front.

104 **RMarshall** explained that he is opposed to having the 2 parking spots out front; it would not provide for
105 safe and attractive development as it is not attractive nor safe when the vehicles will be half in the
106 roadway; and because of potential safety issues there will be more cars at that corner, there is a
107 restaurant with limited parking which were used prior to restaurant closing. **RMarshall** also expressed
108 that there are two properties down the same road which have the same issue whom have made
109 accommodations to get the cars off the roadway. Gravel in the parking area won't be sufficient as rain
110 water will be running down the town road and into the town storm drains. There are residential
111 properties from Rymes property all the way around the corner. There are already thirteen residential
112 units in the business district.

113 **KCarpenter** reminded the planning board that they are discussing the parking location out front and not
114 spot size. **MParker** wanted to understand why the corner has parking further into the street at the
115 corner than this property. **RMarshall** explained why this is the way it is now. Parking was used for
116 businesses and not residential.

117 **KCarpenter** questioned if parking in front of 4 Slip Rd was allocated for 4 Slip rd only.

118 **RMarshall** explained that because of business across from library there became no parking on the library
119 side of Slip Rd. There is a sloped walkway on the side and behind 8 slip road.

120 **MParker** said he was wondering about the difference between residential and business parking.

121 **RWachenfeld** questioned why the 4-unit has tenant parking only signs out front but the applicants of 8
122 slip road would not be able to park out front? **KCarpenter** explained that tenants have been parking
123 there for years and were able to when the business was closed. Which makes her more likely to
124 approve.

125 **NBrown** stated he would hate to see Slip road being more congested. But he sees that it shouldn't be ok
126 for one and not ok for another.

127 **GRainier** explained that at the onsite walk there was a huge mound of snow. He asked who put the
128 snow there but Mr. Wheeler was unsure. **GRainier** states that parking is a mess down there and that
129 people should be made to park where they need to and not where they want to.

130 **KCarpenter** stated that public parking is not an issue right now but will be if the restaurant opens up.

131 **KPaulsen** explained that he sees a problem with the parking spaces as the plat shows 20' which 4-5'
132 would be lost due to the cement step. The entrance should not be allowed as an entrance if there were
133 parking spots there.

134 **RMarshall** explained there is an easy solution, go with 3-unit residence and have parking out back. There
135 are too many problems with making the 4-unit idea. This will help with all of the concerns and safety
136 issues.

137 **KCarpenter** said there was already parking here, they're not going to be any different than the tenants
138 from 4 Slip Rd parking there without permission, or complaint, for the last 3 years.

139 **MParker** helped to explain what **RMarshall** was trying to explain. **MParker** stated that if we approve this
140 application and approve the waiver for this than Green Tech Builders may not do what they were
141 planning if they already have the approval. After seeing that it is possible to have a 4-unit apartment and
142 were able to get the parking away from the street than these people can as well. If he approves than he
143 would be ok with all the parking there to be tenant parking which is not ok.

144 **KCarpenter** reminded the planning board that this application and the PCC are not the same. The PCC is
145 only an idea.

146 **RMarshall** stated that he believes the town will win if it were to enforce the tenants to not be parking in
147 the business area parking. There is a new owner of the restaurant. The new owner will need parking for
148 his customers so the tenant's will not be able to park in this area.

149 **KCarpenter** made a motion to approve or not approve **the** 2 parking spots in front and whether or not
150 that is allowable. Board voted: yes- 3, no- 4. The motion was not approved. **KCarpenter** explained that
151 the planning board has decided that they can not put parking out front. They will have to put out back if
152 they still want to do the 4 unit.

153 **RMarshall** asked Mr. Wheeler if and where any snow storage will be. Ms. Peterson and Mr. Wheeler
154 explained that everything would be off the road.

155

156 Mr. Wheeler would need to complete the following requirements:

- 157 1) Redo plat showing the removal of 2 parking spots from the front and putting in the rear parking
158 lot, also showing the engineered changes including new contours
- 159 2) Would need variance for section III.(A)1b to the 1.5 acres per unit
- 160 3) Provide a landscape plan

161

162 **RMarshall** explained he is concerned with safety with all of the burned timbers. How would someone be
163 able to build with the building this way and it be safe. He would like for there to be a contingency that it
164 is stated that he cannot build anything with the timbers as they are. He would like any approval to be
165 subject to the approval of Code Enforcement Officer.

166 **KCarpenter** stated that she spoke with Greenfield CEO and he stated that a permit would have to be
167 obtained, and at that time he would inspect the interior of the building to determine if the remaining
168 structure could safely be used. There is no need for a separate contingency.

169 **MParker** helped to explain what **KCarpenter** stated.

170 Mr. Wheeler stated that he would not build until the damaged rear quarter was repaired and safe to
171 build on.

172

173 **KCarpenter** moved that the board approve with the contingencies. Seconded by **MParker**. 5-1-1.

174 **RMarshall** voted no. **GRainier** abstained.

175 **9:03pm Discussion R3-37, 39-1 Nickerson LLA**

176 **KCarpenter** opened the discussion with planning board. She stated that this is not an opening of
177 deliberations but she felt she needed to make some statements. She discussed her conversation with
178 town counsel and mentioned that the Nickerson's counsel have also talked with the town counsel. She
179 said that her discussions with Bart helped her to break down the issues and that this is what the board
180 must do on May 20, 2019. The board must go through the process of comparing line by line all of the
181 documents available, and then make a decision. If the applicant or abutters are unhappy with that
182 decision, they have 30 days to appeal it. She went on to explain that several things went wrong. First, it
183 was clear that the applicants' representative did not do a great job at explaining their plan. When he
184 was asked questions at the first meeting, he became agitated and did not explain things clearly. The
185 second meeting was pretty much the same to the point where a board member had to remind him that
186 the board was in deliberations and he cannot address the board uninvited. She stated that this IS a
187 tough one and that that the board itself seemed to get drawn into the issues brought up by the abutters
188 causing us to lose sight of what we needed to do. Bart's advice was to go through line by line and
189 compare all the plats individually for each abutter and compare with the proposed changes.

190 **KCarpenter** stated that she wanted to make it clear that the comment by member(s) of the board (there
191 was some discussion regarding who said what) that 'this is a land grab' or an attempt for one person to
192 take another person's land, was uncalled for and unacceptable for board members, that is not how this
193 board should be operating. She restated that she felt the applicant was representing that there was no
194 change to the abutter's property, however the abutters feel there is, so we must look at the plans and
195 make a determination based on the plans. It is easy to get caught up in such a dispute, especially for a
196 board with a majority of new members. She said that the board needs to refrain from getting drawn
197 into any situation where comments like that are made.

198
199 **KCarpenter** would like for all members to have electronic copies of the plat and study them and she will
200 try and get copies of them. The Board may also want to consider reviewing the deeds, and if the board
201 cannot make a determination then a consultant may be used, but she believes if the board works
202 through this properly it may find that there is enough information. She stated that we are mostly a new
203 board and need to be patient with ourselves and help to check one another if we get drawn into
204 something beyond our scope. She will send as much information as possible to all members to review
205 individually, this way the board will be able to be more prepared for the next meeting with the
206 applicants on May 20, 2019. She cautioned the planning board members do not discuss with one
207 another or via reply all, to prevent any legal issues regarding meetings.

208
209 **9:09pm Planning Board Business, discuss requirement for 1.5 acres per unit in Business District, and**
210 **should a change be drafted.**

211 **KCaprenter** explained why the ordinance is in place. The acreage doesn't make sense with the small
212 postage stamp properties. But it does make sense for a large apartment building with several
213 apartments.

214 **MParker** questioned if the town doesn't want any more downtown residences? **KCarpenter** explained
215 her thought that maybe several years ago the town didn't think there should be residential and yet
216 should be business. However, the downtown business idea isn't working out well.

217 **KCarpenter** explained how the town is working to better all kinds of things, i.e.- library, meeting house.

218 **MParker** discussed the town ordinance on village district and business district.

219 **RMarshall** explained Section III Business District. Business District should be reserved for business only.
220 All of the prime business properties downtown are being converted to residential. Paul, at the time of
221 the writing of the ordinance, was concerned about this taking over.

222 **KCarpenter**- explained, while she understands, it is a problem that downtown is dying. We just need to
223 figure out how to help it thrive. There are reasons why the ordinances are in place. It is up to the ZBA to
224 approve a variance. The owners of the restaurant are threatening to turn it into an apartment building
225 if they can't rent to a new restaurant tenant but the costs of the suggested lease outweigh the potential
226 business income.

227
228 **KCarpenter** stated that she would like to hear what **RMarshall** has discussed with the Select Board on
229 the Collaborative Meeting. **RMarshall** stated that June 27, 2019 which is the estimated date for this to
230 happen. He stated that the idea for the meeting was the Select boards and that the BOS is working on
231 the agenda.

232
233 **GRainier** asked **KCarpenter** if there was a consultant figured out for looking over the plats. **KCarpenter**
234 explained that she does not have one yet. **GRainier** gave a name which he had remembered, Carol
235 Oglevie, who is now retired.

236
237 **KCarpenter** explained that the board needs to all be patient and work together on everything.
238

239 **NBrown** discussed with the board that he would like to figure out a singular plan with filing that would
240 be searchable in one way that way it could be easily found. He would be willing to do it but he would like
241 help and input. He would like to have everything in PDF and hardcopy.

242 **GRainier** explained about a location which may allow the use of their climate-controlled space.

243 **RMarshall** mentioned to the planning board to keep in mind that the old town building is coming back to
244 the Town of Greenfield.

245
246 **9:33pm RWachenfeld** made a motion to adjourn meeting. **NBrown** seconded. 7-0-0.
247