Not Approved

**AGENDA**

**MONT VERNON PLANNING BOARD**

**Public Meeting**

**May 9, 2023**

Present: Chip Spalding, Jim Bird, Zach Johnson, Steve Bennett, John Quinlan, Garth Witty, DPW Director Ben Crosby, Sam Ingram from Meridian Land Services, David and Carla Logan

Absent: David Hall, Zach Johnson

Called to order: 7:00pm.

**7:00pm: Public Time:**

John Carbonneau of 18 S. Main St. is present to ask about the process of obtaining a permit for a home-based business that will operate select weekends only, primarily in winter but some summer weekends as well, as a Ski Team training site. The Board advises that he needs to apply to the ZBA for a Special Exception due to the zoning regulations.

**7:15pm SAC Master Plan Update:**

Schwarz states this meeting was not posted properly, so the Board cannot hold this hearing tonight. **Bird** asks has everyone reviewed the updated plan and happy with it, or do they want changes to be made? **Spalding** states that he has reviewed it and that it is so much better and more organized than what we had before, I just want to accept it and get it done. Schwarz states the hearing could happen on June 13, but the Library Trustees are hoping to get on the schedule for that date as well for a site plan review. She has not received an application yet from them, so she cannot guarantee they will be on the agenda that date but wants the Board to make an educated decision for their scheduling. **Bennett** states Schwarz should hold the notice for this meeting to see if the application and fees arrive from the Library Trustees, and if not, Schwarz could post this hearing for June 13. **Spalding** states the meeting with the library could go long, so he would rather hold it on a night there is not another hearing. **Bennett** and **Bird** have conflicts on the 27th so the Board agrees to hold the hearing on June 13.

**7:30pm Logan Subdivision Hearing continued:**

Sam Ingram of Meridian Land Services hands out updated copies of the plans with some of the changes requested. Lot numbers have been updated to match town requirements, added 4x boxes as well as potential well sites with radius. The septic setback in question has been corrected as well. Drainage maintenance easement is now marked on the plan but will add a note on the plan specifying that the lots are subject to that. Structures within 100 feet were added. Bounds have been added. Waiver is requested for HISS mapping. **Bennett** asks where the outlet pipe for the pond is, and Ingram points it out on the plans. Further notes will be forthcoming at the next meeting. Ingram states the Logan’s intent is not to immediately or maybe ever develop all the lots. The requirement for fire protection the need is minor, therefore the cost for a cistern or sprinkler system is an undue burden, and they are asking that that be waived. **Bennett** asks what fire protection would be provided? Ingram states that there would be no fire protection onsite. **Bird** states the board has been consistent with requiring fire protection, and it states in the regulations that it will be required. You must have a water source within 2000 road feet of every structure. Ingram asks if that is for every new subdivision and **Bird** says it has been going on for the minor subdivisions to the best of his knowledge. Ingram states they are only developing two lots and **Bennett** states its not unlikely that somewhere in the future all three lots will be developed. **Bird** explains its not based on the house, but the lots. Ingram asks if there could be a compromise where the two lots now would not be required to have the fire protection, but the remaining lots would. **Bennett** asks if they would put in a cistern of the other three lots were developed and Ingram states he wouldn’t limit it to a cistern, just make it a requirement that the other three lots would be required to have some sort of fire protection. **Bird** states there would then be three sprinklered homes and two not. That will be a hard sell unless you have a cistern within 2000 feet of the first two. **Bird** states he understands these things are expensive but that would be quite out of line with the way we do things. Logan states he understands that the fire protection in the home gives more time for the residents to get out of the house, but each apparatus has 50-75,000 gallons of water on board, so how is it adding to time to escape. **Bird** states its not about buying time but having water available as the water on a tanker can go pretty fast. Logan states that the concept of fire suppression is to buy more time for the homeowner to get out and a cistern isn’t going to do that. **Bennett** states yes, sprinklers buy you more time, and Logan states that the state will not allow the board to require sprinklers. **Bennett** states that is correct, we cannot force a homeowner to put in sprinklers if their personal choice is not to do so, but we can require some sort of fire protection, and you have options. Logan asks if a cistern is fire protection? **Bennett** states it’s not protection but it’s a water source to prevent a fire to spread. It’s not only about the home on fire but those around it. You will have to have some sort of fire protection. Ingram states he would like to have a follow up conversation with the Fire Chief so a final decision can be made. A cistern is great for an area with multiple homes but were talking about developing only two of these lots so it’s a different situation. **Bird** states that most smaller subdivisions opt for sprinklers instead of a cistern for that reason. Logan feels that the Board is mandating him even though the law states that it cannot. **Bird** states the board is mandating a water source or sprinklers and they have the choice of how to proceed. Ingram states they would like to clean up any loose ends now and seek final approval at the next meeting. **Spalding** asks if plans were submitted to conservation and Schwarz says they were offered but not taken. **Bird** addresses the waiver request for HIIS

**HSpalding motions to approve the Logan waiver from section 3-410-3d, second by Quinlan, no further discussion, all in favor, motion passed.**

**Spalding** directs Ingram to make this another note on the final plan.

Schwarz states that she has spoken to the Fire Chief on the phone. He states the farm pond will not work as a water source because it is essentially a failed pond and any earthen water source for a 5-lot subdivision will need 50-75,000 gallons and you just won’t get that out of this pond. He also states a dry hydrant won’t work because it is an earthen dam, and the stand would be uphill. If the Logan’s wanted to do a piecemeal approach his opinion is the best thing to do is sprinklers in the homes as they are built. Chief states we have never waived fire protection requirements.

**Bennett motions to continue this hearing to May 23, 2023, at 7:15pm, second by Spalding, no further discussion, all in favor, motion passed.**

Bird states he would like to have another note added to the plan for a Conditional Use Permit regarding the driveway/wetlands crossing at the next meeting.

9:15pm: Other Business:

**Bird** asks if the plan the library wants the Board to review going to be the same as was presented before and **Quinlan** states he would assume so. Schwarz states she is confused because in the email from Cindy Raspiller it states that **Quinlan** would like time on the agenda to speak as well, is this correct? **Quinlan** states he has not seen the email, but he does not want to be on the agenda. **Spalding** asks if this is a formal application, and **Bird** states the Board has nothing to vote on, because it goes to the Town for vote and Schwarz states former Planning Board Chair Bill McKinney emailed her this afternoon asking when the application needs to be in by for proper legal posting. **Bennett** feels they may not be required to file an application, but they are going through the motions since it was brought up at Town Meeting that they never applied to the Planning Board. We can review it, but we cannot vote on it. **Spalding** states it is a non-residential site plan review. **Bennett** states that if it were not a governmental project we would do a site plan review, we can advise and comment, but we cannot vote on it, but we should treat it just like any other application. **Spalding** states we can vote, it’s just a non-binding vote.

**9:25pm Review of Minutes:**

**Bennett motions to accept the minutes as written, seconded by Spalding. No further discussion, all others in favor, motion passed.**

**Bennett motions to adjourn, seconded by**

Meeting Adjourned 9:30pm

Next meeting: May 23, 2023

Respectfully submitted,

Rebecca Schwarz

Admin