Not Approved

**AGENDA**

**MONT VERNON PLANNING BOARD**

**Public Meeting**

**June 27, 2023**

Present: Zach Johnson, Steve Bennett, John Quinlan, Chip Spalding, Garth Witty

Absent: Jim Bird

Called to order: 7:00pm. Johnson and Witty are seated.

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

Norman Norcross of Salisbury Rd. introduces himself to the Board. He is in his second year of living in Mont Vernon and is interested in joining a Board in Town and is observing several meetings.

**7:10pm: Arcuri Conceptual:**

Proposed purchaser would like to buy a property in town, build a small residence and live in it for approximately 5 years and then build a larger home on the property and convert the smaller home into an Accessory Dwelling Unit. **Bennett** states we can’t really advise on this, because it is not the way the ADU regs are written. Building in this order will not meet the definition of an ADU. If they attempt to build the larger property second, it will require a variance which we can’t guarantee.

**7:30pm Buck Conceptual:**

Canceled at applicant’s request.

**7:30pm: Other Business:**

Schwarz states there has been a hearing scheduled for July 11 for the Garbos Subdivision.

**Bennett** reads a letter advising the Board of a hearing in Amherst regarding a 40-lot subdivision on County Rd. The Board discusses and ultimately decides it would be very little if any impact on Mont Vernon.

**7:45pm Updated Regs review and Acceptance:**

**Bennett** states in looking through the updated book, the Wetlands Regs have been updated, as well as the Driveway Regs, but the Accessory Dwelling Units Regs are not included as this draft is prior to their acceptance. Schwarz states she will update it. **Bennett** asks about Impact Fees, and the Board asks Schwarz to research whether it was voted out or the Town just stopped charging them. **Quinlan** states that one of his first actions as Selectmen was to remove Impact Fees. **Spalding** has reviewed the updated book in full and points out small edits to page numbers etc.

**7:55pm Review of Minutes 6/13/23:**

**Spalding** states that although he was not at the last meeting, he would like to know what the next steps are that were planned and what the Boards objectives are. He feels that there will be a lot of people watching this, on both sides, and we’ve got time to review the project and get it done right. **Johnson** states that it is his understanding that the Board will review the plans, show where it does or does not fit in with the current regulations, maybe offer guidance on how to comply better, but we are not giving an approval or denial or an opinion. **Bennett** states that they don’t have to meet regulations and **Johnson** agrees, but states that that is why they’re coming in. They don’t even have to come to the Board and Schwarz states that the community has given pushback because the plan has not been in front of the Board. **Spalding** states that when he read the minutes, he took it that Cindy Raspiller wanted to do it all correctly and have all the boxes ticked. **Bennett** states no, she wanted a recommendation from the Board, which we refused to do. **Spalding** reads from the RSA regarding the comments provided by the Board after review of the plan. He feels that the Board should consider voting. **Bennett** states that the RSA specifically does not mention voting. **Spalding** states it would be a “non-binding vote” just as the RSA states “non-binding” comments are allowed and **Bennett** disagrees. **Bennett** states we are not going to vote at all, we specifically stated to them that we would not be voting. **Spalding** states that in our comments we could put that it is a Town project and not subject to our regulations, but he is concerned that the public is entitled to the education of the Boards review. He feels that our findings should be presented publicly at Town Meeting. **Bennett** states this can be noted in the review comments. **Johnson** asks what would be do if it was a private application? **Bennett** advises that there would be a public hearing and a vote. **Spalding** states that there is a lot of interest in this project and people are looking for the Town to provide feedback, and **Spalding** feels that we should go through the application process and present it at Town Meeting. **Bennett** says he understands what **Spalding** is saying, and that he feels the two agree more than it sounds like they do, however, we can only comment on our findings based on our regulations. **Spalding** states that that means we are expecting the public to make an informed decision without informing them. Schwarz states the Planning Board Chair gets to write a statement in the Annual Report, we have a webpage, and minutes posted, and the meeting will be public and held at the school to be able to accommodate a larger crowd. At some point voters need to educate themselves with the options available to them. **Witty** states that he feels a vote would clarify the split feeling even on the Board. **Bennett** states he will quit before he votes on the project with the Board. He feels the push for a vote is aimed at killing the project, and this is not non-binding. Even stating that a vote is non-binding, voting at all shows support or non-support of the project and that is not our task. **Johnson** asks what happens regularly and how does that differ from how this process goes? **Bennett** states there is no vote, there is no abutters notice, and no formal application to accept. This is a review and comment. **Spalding** wonders why the Board cannot take the time to present their findings at Town Meeting as people are about to vote on the project, the same way the library did their presentation during Town Meeting last year. The findings are the findings, and it is not an opinion. **Bennett** states that we are not trying to keep the public from being educated, we are trying not to make the decision for the Town. He feels that a lot of what was said at Town Meeting this year was opinion, and that opinion swayed the way people voted. **Johnson** states we could give objective comments, and **Bennett** states yes, if we agree on them. **Quinlan** states the thing is that the Town projects are not required to follow any Zoning Regs. **Johnson** states that the comments should include that fact. Schwarz states that she will put the review comments on the website for people to read. **Spalding** fears that is not enough to educate the public. He feels it needs to be made clear that the Town is not meeting the same requirements it holds the public to, and **Quinlan** states it does not have to. **Spalding** feels they need to understand that the project misses the mark on several areas of our Zoning and that if it were a regular application, it would not be approved. This is a very expensive addition to the taxes and the public needs to be made aware of any shortcomings the plans may have and impacts to future taxes if the project passes. **Bennett** states that the vote is on the money, not the Zoning, so commenting on the Zoning is not germane. **Spalding** states he feels that we are going in circles, and he has said his piece. **Bennett** states that he knows **Spalding** disagrees with the project and that **Bennett** would be willing to vote for it. He knows how **Spalding** feels about the road. **Spalding** states he is not discussing the road, the library falls within a wetland. **Quinlan** states that the parking lot is in the wetland, not the building and **Spalding** says the building is within the wetlands buffer and **Quinlan** states a tiny piece of it is. **Spalding** states it doesn’t matter how small of a piece it is. **Quinlan** states we’ve been over this 100 times. **Spalding** states the entire parking lot is filled into the wetlands and **Bennett** states its not a perfect plan. **Quinlan** states it’s not a perfect piece of land and they have to work with what they’ve got. **Spalding** states that there has been no mention of the new library in our Town guiding documents such as a Master Plan, Capital Improvement Plan etc. and he’s concerned why this was never built into those documents in order to allow for proper planning to take place – if this truly is a Town project the Town should have documentation. **Bennett** states so you hate the project, and **Spalding** says no. **Bennett** states that even a child could walk into the library and see we need a new library. What we have isn’t a library, it’s a pile of books and no room to do anything in it. Schwarz states that she’d like to point out that the Voters Guide was created this year specifically for the reason that people don’t have all the information/education needed prior to Town Meeting. Schwarz agrees that the board should not comment at Town Meeting, but that she would encourage the Board to put information on the Voters Guide. **Johnson** states that he agrees to not vote but feels that we should give the library what they asked for by making comments about the project. **Bennett** agrees but states that we were very clear at the last meeting that we would not be making a statement of support or non-support but would make comments on how the plan fits our regulations without voting. **Spalding** states he can accept that, but that there are 41 acres out there and **Quinlan** states they are not going to move the building, that cannot be argued. **Witty** states that the Board should just state that it will not review the project because we are not required to, we are not able to make a vote on it and the Town doesn’t have to meet the same guidelines as a regular applicant. Why would we waste our time and resources? **Bennett** states there is a State statute that requires them to submit for a review and the Board to review it. **Bennett** states that he does not know the engineering like **Spalding**, but he believes we need a new library and he doesn’t want to wait two generations to get one. That’s two generations of residents that have to live with an inadequate library facility. If there is a problem, engineers will know how to fix it. **Spalding** states absolutely, the road to the library will be a very expensive road to build and maintain, forever. It’s a quarter mile, with pipes, underground, that will have to be maintained by the Town. Ask the DPW director what burden that will put on the DPW. It is the Disney World of drainage structures. We don’t have anything like that that exists in this town. **Quinlan** states they have limitations. No one involved with this project thinks that piece of property is ideal, but its what we have. **Spalding** states that the road is designed to fail. **Quinlan** asks then why did it get past two engineering firms and the State? Two engineering firms and the State approved that plan, so why should we think of you as being above those two entities? **Spalding** states the State did not approve the road. I sit here as a licensed professional engineer in New Hampshire. I am telling you, as a professional, this is a bad road. The State did not approve the road, they approved an alteration of terrain and a wetlands permit. The State did not approve a road that will be maintained by the Town, and if you want to take a look at where the road is going to fail, I’d be happy to share it with you. **Bennett** states unfortunately we have a lot of other roads in the State that fail; **Spalding** asks so we’re going to choose to build a road that fails? **Johnson** states those two generations will have to deal with the road as well. **Bennett** states that any project we approve will cause maintenance issues for the future generations. **Johnson** states that library project aside, if the Board knows it’s decision will cause excess issues for the future, it is a bad decision. Normal maintenance issues are one thing but adding something we know is subpar is a bad decision. **Quinlan** agrees that its going to be more maintenance than the usual road, but it will not be a disaster. **Johnson** asks is that beyond the scope of our current DPW? Will we not be able to maintain the road properly because out current DPW is not prepared? **Bennett** states well it’s a balance, you also have to balance the benefit to the Town of having a decent library. **Quinlan** states we have needed a new library for 45 years. That is a rich mans library that was built in 1907. It’s basically what a rich man would have built for himself at the turn of the century. It’s totally inadequate, for a town size of 2600 people. **Bennett** states the other argument is that a library isn’t just a stack of books. There are other purposes to a library. **Spalding** states he is not proposing that the Town gets rid of the library. He feels that this debate has turned personal. He addresses **Quinlan** and states he’s sorry it’s turned into this. As I’ve sat on this Board, I have tried to give balanced feedback, in the Town’s best interest. I do not feel this is in the Town’s best interest. I was invited to speak at the Budget Committee last year, and people swore at me. People that were on the Budget Committee, that were clearly advocates for the library. Now are basically doubting my abilities as a licensed professional engineer. I have tried to work very loyally; I have not tried to skew opinions one way or another. Now it has come to my professional judgement as a civil engineer, is now coming into the crosshairs of not stepping in line with a special interest in this Town, so I don’t know any further I can go with this. Anything I say is going to be considered anti-library, and that is not my intent. My intent is what is best for the Town. **Bennett** states that is fair. He states he doesn’t know about the engineering, but he believes in the value to the Town of a new library. It's not that I disagree with your analysis of the engineering, but what I think is there are different ways of looking at this. I understand yours is long term maintenance of the road – and **Spalding** states I look at it as an engineer. **Bennett** continues I understand, and that has been so useful on the Board, but that **Bennett** is willing to overlook a lot of this because I think the benefit to the Town is a new library, but I will not comment on the engineering aspect of the plan. **Spalding** states I am not trying to make this emotional, but if you are an engineer and you provide design feedback that doesn’t align with the library you are now deemed an anti-supporter of the library. **Quinlan** states he doesn’t think that is true. He states that **Spalding** has been discussing these concerns for a while, and that all those concerns were taken back to the engineers, and they took them under consideration and that was that. You can’t keep harping on this point as if some disaster is pending because we’re going to build a road up to a library. **Spalding** states I did not impart that a disaster was going to happen. **Quinlan** states I had ears at the last two Town Meeting’s, and up to this date I have never commented to you directly about this, and I’m not going to say anything further, but come on now, I had ears and everyone else had ears. **Spalding** states that he is not on social media, but he knows there was a lot of hate mail on social media directed toward him. **Quinlan** states he is not going to defend those people, but he is saying this particular concern has been spoken about, with many people, over the course of the last three years. We know it is not a perfect road. We know it. It’s not what we wanted, but it is the best we can do with the property we have, and it is being done much more complicated than we normally do, but we have to, to make the whole thing work. Johnson states the road doesn’t fall under our purview and **Spalding** states the road is not being built to Town standards. The Board breaks into muddled conversation… **Spalding** states that all he is trying to impart is that our review should state clearly where the project fails to meet our regulations, while also stating that it doesn’t have to. **Bennett** states that it’s a hard thing to explain. **Spalding** agrees but the residents need to understand what they’re voting on, and I understand that you’ve simplified it that the residents are voting on money, but they’re voting on money to build this project. **Bennett** states that our comments are not going to be on the money, they will be on the plan.

**Motion to accept the minutes of 6/13/23 as written by Quinlan, Second by Johnson, no further discussion, all in favor motion passed.**

**8:45pm Other Business:**

The Board reviews the final plans for the Logan Subdivision and Bennett and Spalding sign the mylar for recording.

**Quinlan motions to adjourn, seconded by Johnson**

Meeting Adjourned 8:55pm

Next meeting: July 11, 2023

Respectfully submitted,

Rebecca Schwarz

Admin