

MINUTES
PLANNING BOARD
December 6, 2023 7:00pm
In-person/Zoom

Present: Chair Deidre Daley- via phone, Josh Muhonen (Co-Chair)-in person, Selectman Shawn Talbot (Ex-Officio) - in person, Nicole Talbot-in person, Liz Freeman- in person, Bruce Ruotsala- in person, Craig Smeeth- in person, Lou Guarino- via zoom, Jennifer Minckler- in person.

Citizens in attendance – Susan Mallett, Land Use Administrator for Town of New Ipswich, Timothy J Blais for Abandoned excavation who was advised of the continuation to February 7, 2023 and left the meeting.

Open meeting with the pledge of allegiance

Roll Call taken by Josh Muhonen.

Co-Chair Josh asked Nicole Talbot to sit in for Tim Somero in his absence.

7:00 Public Hearing for Abandoned Excavations per 155-E:2, II- Nathaniel E. Tuttle Ashburnham Road, Map13 Lot 29 continuation from 9/20/2023 . Selectman Talbot advised he received an email from Patricia Chalke requesting the hearing to be continued. It was determined that the continuation will be for a date certain February 7, 2024 at 7:30pm at the town office, 661 Turnpike Road. Motion to continue to a date certain February 7, 2023 by Liz. Motion seconded by Craig. Roll call vote. Motion carries. Bruce is to compile a letter to be sent to Patricia Chalke regarding the continuation.

Selectmen's Report & Chairman/Land Use Report: Selectman Talbot was asked by Liz if he was going to discuss the package each Planning Board member/alternate received from Devin Millimet Law Firm. The Law firm represents the petitioners appealing the Planning Board decision for Silver Scone Teas. The Land Use Clerk received the packages and provided to each member/alternate in attendance. The Land Use Clerk did not receive a copy nor is she aware of the content. Selectman Talbot advised that there was concern over the tea parties occurring and the petitioners requested a cease and desist but the town has been advised by legal not to proceed with a cease & desist unless the tea party(s) do actually occur. Selectman Talbot advised that the Board of Selectman feel that the original cease and desist is still in effect so another cease and desist would not be needed. This matter has gone to legal counsel for confirmation. He stated that Silver Scone has filed a motion to lift the stay of the Planning Board and Selectman Talbot stated that the Board of Selectmen voted on Tuesday to assent to the lifting of the stay per the court request. The court has not yet lifted the stay. Selectman Talbot advised that the stay allowed submission of documents by the applicant but the Planning Board could not act on them.

Craig asked about the School and Selectman Talbot spoke of the disconnection of the town and the school and that he is serving on the advisory budget committee for the town. The School Board and Select Board together need to determine how decisions impact the community with the tax rate and also support.

Selectman Talbot advised that the public hearing is January 9, 2023 at 7:00pm on the warrant at the Town Office, 661 Turnpike Road.

The Land Use Clerk provided administrative information to the board. Public notices require the location of the hearing to include the address. She also advised that the 21 day period for scheduling a hearing, begins the day the application is submitted. In the past, the day of submission and the day of the hearing were omitted from the 21 day timeframe but actually should only not include the day of the hearing.

7:30pm Public Hearing on proposed dead end street amendment to subdivision regulations: Liz asked if we have a document formatted as a proposed amendment and the document we had did not state that. The document should also not be combined with the other amendment. Josh opened the hearing for public comment. There was none. It was decided by the board to continue this hearing to a date certain December 20, 2023 at 7:15pm. Motion to continue hearing by Josh. Motion seconded by Craig. Roll Call vote. Motion carries.

8:08pm Floodplain Ordinance amendments: Josh opened the hearing and began the hearing with public comment. There was no public comment. Public comment was closed. Motion made by Josh to approve the amendment to the New Ipswich flood plain development ordinance as written and to be forwarded to the Town Clerk to be included in the town warrant. Motion seconded by Liz. Roll Call vote. Motion carries. Warrant and ordinance to be sent together to the Town Clerk.

Minutes of November 1, 2023: Motion to approve as revised by Liz. Motion seconded by Bruce. Roll Call vote. Motion carries.

Minutes of November 15, 2023: Motion to approve as revised by Bruce. Motion seconded by Craig. Roll Call vote. 1 abstention. Motion carries.

Old/New Business: The Planning Board discussed ADU (accessory dwelling units) and outbuilding. The discussion continued on ADUs regarding village district, foundations, parking, cluster development and HOA deed restrictions. Chair Deidre advised all regulations will be reviewed by the Planning Board Attorney. Craig is to provide definition of outbuilding.

Co-Chair Josh questioned the date of a hearing for the public. Chair Deidre advised January 15, 2024 is the last day to hold the first public hearing on zoning amendments, if a second hearing is anticipated. Chair Deidre advised that there will be three warrant article hearings on January 4, 2024. Chair Deidre will discuss at the December 20, 2023 meeting. The topics are incentivizing building density and the other is on making a warrant article on things that pre-date 2013.

Motion to adjourn at 9:27 by Josh. Motion seconded by Bruce

Respectfully submitted,
Jennifer Minckler
Land Use Administrator