

MINUTES  
PLANNING BOARD  
December 20, 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-via zoom, Liz Freeman- in person, Bruce Ruotsala- in person, Craig Smeeth- in person, Lou Guarino- in person, Jennifer Minckler- in person.

**Citizens in attendance** – Chuck Ritchie- Engineer Fieldstone Land Consulting, PLLC, Bert Hamill- Planning Board Engineer, Mike Maki, Gabriel Krook, Emma Krook, Ben Krook, ,Emily Krook, Jenny (Jane) Williams, David Somero.

Open meeting with the pledge of allegiance

Roll Call taken by Deirdre Daley

**Selectmen's Report & Chairman/Land Use Report:** Selectman Talbot advised the budget is in in final stages and there will be a hearing on the budget at the Town Office on January 9, 2024 at 7:00pm.

The Land Use Clerk reported that Ray Aho has received approval from the Board of Selectmen for the shared drive to be named Whitetail Drive and is aware that once quote is provided, payment for the sign cannot be made until the conditions of the subdivision approval have been meet.

Chair Deidre advised that the Annual Report is due tomorrow and Tim offered to review the draft and provide input for submission to the Administrative Assistant completing the annual report.

There is not sufficient time to post for a warrant article hearing on January 8, 2024. The Board determined to have the hearings on January 11, 2024 at the town office in the board room.

**7:15: Public Hearing on proposed dead end street amendment to subdivision regulations.** There was no public comment. There was a motion to close the public hearing commentary and the amendments to the subdivision regulations by Tim. Motion seconded by Bruce. Roll call vote. Motion carries. Bruce made a motion to amend the Subdivision Regulations: Section XI Paragraph 11:02 subparagraph A:4 by eliminating the words in strikeout and adding the underlined words. Josh seconded the motion. Roll call vote. Motion carries. The Planning Board signed the amendment and will go into effect tomorrow. The Land Use Clerk will amend the subdivision regulations accordingly to reflect the following:

*A:4. Cul-de-sacs at the end of ~~dead-end~~ streets that terminate with only one outlet/access may be replaced by acceptable turnarounds, such as hammerheads, provided that each leg of any turnaround shall be at least 60 feet in length with a paved area 50 feet in length, measured from the near edge of the abutting street or leg of the turnaround, and that each turnaround shall be maintained to the same extent as the street of which it forms an end. Radius at the corner of a turn around shall be not less than 40 ft.*

**7:30 Public Hearing- Brook Haven Farm LLC 33 lot cluster subdivision Map 6/20 & 6/20-9, Appleton & Maki Road -** Liz opened the hearing by mentioning regional impact of this application as Boynton Hill Road is a street that can be traveled into Temple, NH. The Planning board will have to consider regional impact prior to the Planning Board determining completeness. It was determined that the Town of Temple and SWRPC were not notified of the initial hearing. If regional impact is found, then SWRPC would need to be contacted as well as the Town of Temple. Discussion among the board continued on this matter to include the need for a traffic study. Bert advised that a traffic study looks at all homes along the road and any possible impact homes or businesses have in relationship to the subdivision. Bert advised he has driven Boynton Hill Road and stated it is not a desirable road to travel. The quality of the road is better in Temple than it is in New Ipswich. A motion was made by Selectman Talbot to determine there is NO regional impact. Motion was seconded by Bruce. Roll Call vote. Motion failed. A motion was made by Josh to determine there IS a regional impact. Motion

seconded by Tim. Roll call vote. Motion carries. The Land Use Clerk will notify SWRPC and the Town of Temple by sending the minutes of this meeting within 72 hours and within 14 days of the next hearing, notify SWRPC and the Town of Temple of the hearing. The applicant should use this time to clarify the yield plan with Bert Hamill, the Engineer and Chuck of Fieldstone will contact him to review. Liz also requests a colored slope plan. Chuck understands this is a large subdivision and understands an extension may be needed. Chair Deidre advised that the Fire Chief advised a cistern is needed and will forward that email to Chuck. Motion to continue to a date certain January 17, 2024 at 7:05pm made by Liz. Motion seconded by Craig. Roll Call vote. Motion carries. Chair Deidre asked Chuck to agree to extend the 30 days for the next meeting. Chuck agreed to the extension of January 17, 2024. Chuck was advised that any changes would need to be submitted by January 10, 2024 which is 7 days prior to the hearing on January 17, 2024 at 7:05pm.

**Minutes of December 6, 2023:** Motion to approve the minutes by Bruce. Motion seconded by Craig. Roll Call vote. 2 abstention. Motion carries.

**Old/New Business:** Chair Deidre mentioned the proposed amendment to the expiration of pre 2013 unexercised special exceptions and variance. This came up due to an applicant that found a 1988 variance that the Town had no record of. The applicant chose a different path than asking the Town to accept the 1988 variance. The Board discussed a warrant article to have pre 2013 unexercised special exceptions and variance expire 1 year after posted notice by the Planning Board. This is per RSA 674:33, IV (c). Further discussion of this will occur. Chair Deidre, after the Brook Haven hearing continued the discussion of unexercised special exceptions and variance. It was decided that for the warrant verbiage would be "if, passed, property owners would have until April 1, 2025 to exercise any special exemption and variances granted prior to 8/19/2013".

Chair Deidre suggested discussing ADUs. Discussion continued among the board but Liz felt that we should not move quickly on this and advised she provided the article on Temple, NH and discussed the community input on this matter. Liz advised that the complete master plan does not have to be updated. Another chapter can be added on housing to the master plan and you can obtain input from the community.

Chair Deidre advised that we must change that an ADU cannot be in a cluster subdivision. This is one thing the Attorney advised. The Attorney basically said ADUs have to be, according to State law, allowed where any single home is but with deed restriction on property, the ZBA granting an ADU will not prevent the neighbor from being sued for violating the agreement. Chair Deidre believes verbiage should be added to advise this within the regulations. Liz stated the Town would not be part of a civil matter. \*At this point audio was lost on Zoom but manual recorder recorded the rest of the meeting. There was a suggestion to add verbiage to the ZBA application regarding the deed restriction. Discussion continued among the board regarding detached, attached, septic, acreage, 2 ADU versus 1 ADU, rural character. It was determined that hearings will be scheduled on January 11, 2024 to begin at 7pm with a work session to begin at 6:00pm at the Town Office 661 Turnpike Road New Ipswich, NH 03071. Pre 2013 unexercised special exceptions and variances to be schedule for 7pm, ADU at 7:15pm and work force housing/affordable housing at 8pm.

January 3, 2023 meeting cancelled

Motion to adjourn at 10:03pm by Josh. Motion seconded by Bruce

Respectfully submitted,  
Jennifer Minckler  
Land Use Administrator