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Planning Board Meeting
July 11, 2017
7PM

In attendance: David Studer (7:30), Mitch Garnett, Bob Temple, Steve Ocean, Jesse Casas, David Williams, Hank Aho. Public: Brenda Buja, Darryl Flagg

Mitch Garnett called the meeting to order at 7:00PM will roll call noting David Studer's absence. Steve Ocean is the new member replacing Jim Bowers. If Dave Studer is not able to be here Jesse Casas will sit in for him as a voting member.

David Williams moved to accept the 5/9/17 summary, Mitch Garnett seconded, all in favor.

Mitch Garnett asked if anyone had any questions regarding Bob Temple's CEO report. David Williams had a question about the trailer on Old County Road. How did this person get a permit without a 911 or driveway permit? Bob stated these are in the process. David said the structure (camper with an addition) is over 240 square foot, where does he go to the bathroom? He doesn't qualify for a permit because it looks like a permanent structure and should have a well and septic. Bob stated that the plan is to build a house there and he will need a septic but right now there is nothing in the ordinance about campers. David agrees and wants to know what the Board thinks because we should have something in the ordinance; it's right near the brook. Bob said it's a shed addition on the camper for storage, he's not living in it, only sleeping there. There was some discussion. Mitch suggested writing up the verbiage for what the Board would like in the ordinance and submit it to the Selectmen. Bob Temple will speak with the Selectmen and Peter Drum regarding this matter. Mitch Garnett moved to accept the CEO Report, Steve Ocean seconded, all in favor.

New Business

Request by Darryl Flagg for a pre-application meeting regarding permitting the Pitcher Gravel pit on Jefferson Road. Bob Temple gave a brief summary: Basically, Darryl wants to reopen the old Pitcher pit which is not grandfathered. In Bob's opinion, we need to go through the permitting process in order to reopen the pit because it's been inactive for so long and the wet lands in the back need to be identified on the plan.

Darryl Flagg stated the pit has never been closed by DEP, it's still open. Bob Temple said it was closed by the town. When the Mining Ordinance was passed he didn't get a Certificate of Legal Operation, he stopped operating and never got an inspection. Darryl continued to explain that 59 acres is still permitted by DEP. He met with Mark Stebbins about three times; everything in the town ordinance, if we were to file for a new has been done. Darryl stated the town had a copy of all the maps and information on the pit. Darryl asked the Board if the ownership can be transferred and he can take over by being cooperative by doing the inspections or whatnot. Mitch Garnett asked Darryl if he'd have a problem having DEP write a letter that it's an open pit. Darryl said he paid a lifetime membership before the ordinance and he felt he didn't need to deal with the town; he was adamant about that. He stopped working the pit because he retired but still sells things from the pit and pays his taxes on an open pit. Darryl said the wetland were man

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made and has DEP setbacks. Darryl wants to know if he can take this pit over and whether or not he can get permits to dig in the water. Most of the pit has been done but there is material under the water.

Mitch Garnett asked if Barry Pitcher has a copy of the permit. Darryl Flag said only through DEP. David Williams stated that if he had gotten a permit/certificate of legal operation from the town this wouldn't be an issue. Mitch explained that the Planning Board would go through the procedures/check list for doing it as a new mining application because it hasn't been inspected. Mitch suggested to ask the Selectmen. The Selectmen are enforcement the Planning Board's job is to look at the ordinances, follow them, and make sure you comply with them. Bob Temple will contact Peter Drum, town attorney, and get back to Darryl Flagg.

Mitch Garnett explained the process to get a new permit. Darryl Flagg asked if he gets the permit through DEP or the town to dig in the water. Jesse Casas explained you can't dig in the water. The town ordinance states there is a five-foot buffer, digging in the water is not allowed with any new permits. David Williams explained that he would need a town permit; the Planning Board could not grant him a permit following the ordinances. Darryl stated Barry Pitcher had a variance from the DEP to go two feet before the town ordinance went into effect. Bob Temple explained that he would also need a variance from the town, not just the state; which are not the same. Darryl stated the town has all the paperwork from the state. Mitch stated that we will look but may not have records going that far back, 1991. Mitch stated that if Darryl wanted to go through the process, we would be willing to work with you. Bob will check with the town attorney and call you to let you know before the next meeting. If you want to move this along we could meet another time to help out the process; it's up to you where to go from here. As a Planning Board for the Town of Washington we are responsible to uphold the ordinances. At this point, the ordinances state you need to apply for a new permit.

Bob Temple stated the pit is basically reclaimed, the pit has not been inspected yearly.

Next item: A request to amend an approved subdivision plan.

Brenda Buja's sister wants to buy 20 acres more. Mitch Garnet read the survey notes and proposal waivers from the map, which allows for lot movement. Hank Aho stated she is not creating a new subdivision. David Williams stated there is plenty of acreage to move the lot line. After discussion, David Studer moved to require final plan showing the revision as outlined in the original sub-division approval, Steve Ocean seconded, all in favor.

Next item: Discussion letter from Peter Drum regarding the shoreland – adopting vs letting the state mandate the new state mandated shoreland zoning ordinance.

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Mitch Garnett stated the letter basically tells us to move on the shoreland ordinance and probably make the changes. Bob Temple stated the summary is if we adopt the ordinance with the state mandate and make the changes and make it the same as what we have now, we can do that. If we have it mandated on us we can't make it stricter. Bob gave a couple of examples. Much discussion ensued. David Williams asked what is in the mandate that is not in our town ordinances. Bob will provide the new guidelines from DEP and highlight the changes that could be adopted by the town. Steve Ocean suggested to send what we have to DEP and ask them what we need to change in order to comply with what they have. Bob will put together all the shoreland provisions and make a copy of the sections and take the same sections from the other one. David Studer stated that if the change is in the statute it has to be adopted if it in the guidelines then it's a matter of DEP approving it or not. There is no date that this has to go into effect, but we should be prepared.

Mitch Garnett recapped that Bob Temple will contact Peter Drum, town attorney, regarding Darryl Flagg's request and will put together the shoreland comparisons. Mary Anderson will look through old records for any reference to Barry Pitcher's pit.

Jesse Casas reminded the Board that they need an alternate member.

Mitch Garnett moved to adjourn the meeting at 8:25pm.

Respectfully submitted,

Mary Anderson