

ACWORTH PLANNING BOARD MEETING MINUTES - APPROVED

Tuesday, May 27, 2025 6:30 PM

In attendance: Charlotte Comeau, Kathi Bradt, RYANNE Schoonover, Jim Jennison, Judy and Mike Aron, Mary Hildreth, Linda Christie, Caroline Girard, Scott and Pam Travers, Gregg Thibodeau, Robin Ungheuer, Dean Gowen, Frank Emig, Victoria Wuest, John Tarmey, Chris Noonan, Mr. and Mrs. Ledbetter, Mark Goodwin, Bill and Sandy Trybulski

JOINT BOARDS MEETING

A. Master Plan Update

Mr. Aron, Chairman of the Planning Board, called the meeting to order at 6:30 pm and announced that the Master Plan is complete. He explained that only a few changes have been made.

B. Possible adoption of a local building ordinance and appointment of a building inspector.

Mr. Aron reported that there is potential new legislation that would make all Towns in NH have the same ordinances statewide. This new legislation should be voted on soon, and the Board should know by the end of June if it passes. Mrs. Comeau explained the process to adopt an inspector, which would need to be treated like any other zoning ordinance and be voted on in March. Mrs. Christie pointed out that Acworth residents still have to follow State regulations even if the Town does not have an inspector.

Mrs. Bradt, Chair of the Select Board, explained that the Town doesn't have a way to enforce building codes. A building inspector would become an enforcement tool. Discussion ensued concerning making residents aware that they need to follow the rules regardless, and the budget implications of having an inspector. Mrs. Bradt and Mrs. Comeau spoke about the current budget of \$3000 for this and explained that fees collected could help offset the cost. Discussion continued regarding what the inspector would be expected to do, and that the position would be part-time or as needed. Concerns were shared that there are not enough building inspectors statewide and how this could grow to outweigh the benefits.

In light of the possible new legislation, it was determined that the Boards will hold off on this until they know if the bill passes.

C. Property owners doing work without permits.

Mr. Aron welcomed a discussion on residents starting work on their properties without acquiring permits first. Discussion ensued regarding how violations are discovered (by word of mouth and reevaluations), the Welcome Packets that used to be given out, and establishing fines for those who violate this. Mrs. Bradt explained the current process for how these situations are handled. The Select Board sends a letter to the violator to establish a paper trail, and once the situation is properly documented, they can turn to legal for additional help. However, legal fees are very expensive, and this process has not been successful in the past. She added that the zoning ordinance would need to be changed to establish a fine structure and that taxpayers would need to make a conscience effort to build the legal fee line item in the budget. Mr. and Mrs. Travers expressed concerns about people not getting permits and that they do not care that they are violating the rules.

D. Zoning ordinance amendments.

Mr. Aron explained that he has proposed changes to the zoning ordinance regarding the definition of a yurt. He also spoke about adding to the building ordinance.

E. Merging contiguous small nonconforming lots on Crescent Lake.

Mrs. Christie shared a recommendation to get landowners who own contiguous small nonconforming lots on Crescent Lake to merge their lots before being given a variance or Special Exception. They are currently not required to do so.

F. Other items as needed.

Mr. Aron welcomed additional items, but none were suggested.

The Joint Board meeting was concluded at 7:16 pm. All attendees except the Planning Board departed.

1. Appoint Alternate

Mr. Aron explained that the Board needed to appoint Frank as an alternate, otherwise, a quorum would not be met.

Ms. Schoonover moved to appoint Frank Emig as an alternate to the Planning Board. Mr. Gowen seconded. All in favor, except Frank, who abstained. Motion passed.

2. Approval of Minutes

Ms. Schoonover moved to approve the minutes of the April 28th Planning Board Meeting as presented. Mrs. Wuest seconded. All in favor, except Frank, who abstained because he was not present at that meeting. Motion passed.

3. Ledbetter Subdivision

Mr. and Mrs. Ledbetter presented the Mylar, which the Board reviewed. Mrs. Ledbetter gave Mr. Aron payment for the subdivision as required. Considering the subdivision was approved at a previous meeting, it was determined no motion was needed and that Mr. Aron could sign the Mylar on the Board's behalf. Mrs. Ledbetter will bring a copy to the Sullivan County Deed Office herself.

4. Tarmey Excavation Permit

Mr. Tarmey introduced himself and explained why he purchased the property in question. He owns an excavation business and bought the property from Mr. Duggan, who used the property to excavate sand. Mr. Tarmey intends to use the property in the same way Mr. Duggan did and shared the details of Mr. Duggan's approved permit, maps, and photographs of the pit. He added that he is exempt from getting an Alteration of Terrain permit because of the size of the sand pit, which he does not intend to expand. The Board determined this permit should be approved as it will be a continuation of the current use, and all documentation was in order.

Ms. Schoonover moved to approve Mr. Tarmey's excavation permit as presented and recommended that the Select Board approve the permit as well. Seconded by Frank Emig. All in favor. The motion passed unanimously.

5. Noonan, Turkey Shoot Subdivision Question

Mr. Noonan explained that he currently owns approximately 95 acres on Turkey Shoot Road that he is selling soon. He explained that in 1860, Turkey Shoot Road was moved, and the property was subdivided then. This resulted in 94.5 acres on one side of the road and 0.39 acres on the other side of the road. He currently receives two tax bills for the properties, but is not sure what is registered with the Sullivan County Deeds Office.

Mr. Noonan added that he has consulted with an attorney regarding selling the 94.5 acres and annexing or deeding the 0.39 acres to a neighbor. The attorney felt that this was fine, but suggested he consult with his local Planning Board to be sure. Mr. Aron felt that proceeding with the property in this fashion should be no problem, and the Board agreed.

6. DMS Quarry LLC., Non-Residential Site Plan Review

Mr. Aron explained that the State contacted him as Chair of the Planning Board regarding the DMS Quarry. The quarry was purchased 5 years ago, and the new owners would like to start using it. Their situation is similar to Mr. Tarmey's, they do not intend to expand the quarry or change its use in any way. They wish to continue using it as the previous owners did.

Mr. Aron, Jennifer Bland, and Colin from the Highway Department met with members of the State at the quarry and reviewed the site, its safety training log, and other materials.

They all felt that everything was in order at the site. The State will be holding a Public Hearing regarding the quarry, which he will attend on the Board's behalf.

The Board discussed how to support local businesses and how to attract them. It was also noted that the Quarry has provided stone to the Town in the past, and the Board would like to continue good relations with them into the future.

Mr. Gowman moved to approve the DMS Quarry non-residential site plan review as presented. Mrs. Wuest seconded. All in favor, the motion passed unanimously.

7. Third Reading of Planning Board Rules of Procedure

Mr. Aron reported that this is the third time the Board has reviewed the suggested changes to the procedure, which would change the meeting date from Wednesday to Monday and the time from 7:00 pm to 6:30 pm.

Ms. Schoonover moved to approve the revision to the Planning Board Rules of Procedure as presented. Mrs. Wuest seconded. All in favor, except Frank. Motion passed. (4 yes, 1 no)

8. Driveway Permit Application Form

The review of changes to the driveway application form was tabled as Mr. Murray, who drafted the changes, was not present.

9. Planning Board Fees

Mr. Aron shared updated rates for mailing Mylar's and certified mail to abutters. The Board reviewed the rates and determined that the new rates should be approved.

Ms. Schoonover moved to approve changing the certified mail fee from \$7.00 to \$10.00 and the fee to mail Mylar's to \$12.00 as presented. Mr. Gowen seconded. All in favor, the motion passed unanimously.

10. Adjourn and Next Meeting

Mr. Aron noted that the next meeting is scheduled for June 23, 2025, at 6:30 pm and noted a few agenda items that will be discussed.

Ms. Schoonover moved to adjourn the meeting at 8:11 pm. Mrs. Wuest seconded. All in favor, motion passed unanimously.

Respectfully Submitted,

Ryanne Schoonover