

Westmoreland Planning Board Approved Minutes
January 15, 2024

Attending: Lauren Bressett, Bruce Smith, Liana Capra, Alison Fissette, Tim Thompson, Kristen Riley (clerk), John Stronk (alt.), John Snowdon (selectman rep.)

Excused: Larry Siegel (alt.)

Lauren Bressett Called the meeting to order at 6:30 pm.

Review of Minutes: 12/18/23

John Snowdon made a motion to approve minutes as written. Bruce Smith Seconded that motion. All voted in favor.

Hearing for R10-5

Kristen Riley started the hearing with a report of Ian Ingram's application status. He provided an application in the correct amount of time, as well as a list of abutters that were then notified. He also provided checks in the correct amounts for his hearing fee and abutter notification. However, since the submission of the lot line adjustment application, it has been brought to the board's attention that the applicant is in violation of the zoning ordinances. Lauren Bressett asked the zoning administrator, Laurie Burt, to speak on this.

Laurie Burt explained that there is a camper that is not behind a house and it is hooked up to electricity. To the town, this indicates that someone is living in it. There is also a small structure for storage. Jeff Ingram attended the previous selectboard meeting, where the selectmen noted that structures cannot be on the lot and referred him to the Zoning Administrator. She noted that a camper can be used for 30 days behind another structure on a lot with a residence but that isn't the case here. She said that both the camper and structure need to be moved off of the property, as they are not permitted in the forestry zone. Laurie Burt referenced RSA 674:41- I - no building permit may be issued for the erection of a building for property on a Class VI or private road unless the governing body authorizes it.

Ian Ingram then responded. The camper is currently off the property. He said he did not know of what the violation was until tonight in regards to the conex. Jeff Ingram, the applicant's father, said he went to the select board last week and they did not know what the violation was and were referencing a building structure, however the conex is more of a container.

John Snowdon said the first time a resident is alerted of a violation, it starts with a conversation with the zoning administrator. The container, by the town's legal council, is considered a structure. John Snowdon recalled that at the selectboard meeting, Frank Reeder suggested that the easiest way to deal with this issue is to remove the two unpermitted items before their

planning board hearing, and then they won't be in violation. At the next selectboard meeting, Laurie Burt will speak of this, formally.

Lauri Ingram said she doesn't understand how these violations affect a boundary line adjustment.

Lauren Bressett said the board has to follow state laws and board procedures. That compliance is noted on the signed statement on the application and the town attorney has advised the board that the noncompliance should be addressed before acting on the application. The applicant has the choice to extend the application to the next meeting which gives time for the actions needed to be addressed or to choose to have the board continue with the application in front of us. If the board votes not to accept it, the applicant would have to start the process all over again including fees and noticing.

The reception of the application at the applicant's request will be extended to the next meeting that will be taking place on 2/19/24 at 6:30 pm.

Informational Session

Akbar Ashoury of Hurricane Acres came to ask questions in regards to a letter he received from the town assessor. After discussing possible issues, he was directed to Laurie Burt and the building inspector, who will help him determine next steps.

Site Plan Regulations

A few adjustments included: Section VI B. Should the Planning Board determine that some or all of the information described in ~~Section B~~ below is to be required, the applicant will be notified in writing within ten (10) days of the meeting at which the determination was made.

SECTION XII Administration and Enforcement- Leave 2 + 3

Site plan regulation changes will go to our hearing on February 19.

Subdivision Regulations

Lauren Bressett added a lot merger form since the previous work session. The board agreed that was needed and the format was acceptable. These regulations will also go to hearing on February 19.

Decision Flow Chart

The board reviewed edits to the decision flow chart and agreed it will be helpful in guiding residents on planning and zoning processes.

Old Business

The board still has not received all of the information listed in the conditions of Elizabeth Kenny's site plan approval. The planning board will send a formal letter.

Alison Fissette suggested that the board keeps pending applications on the old business agenda until they are resolved.

Lauren Bressett mentioned that the clerk needs to send a reminder to Cersossimo regarding their annual report.

Bruce Smith moved to adjourn the meeting. Alison seconded that motion. All voted in favor. Meeting adjourned at 7:57 pm. Recorded by Kristen Riley, clerk.