

TOWN OF ANDOVER
PLANNING & ZONING COMMISSION
MONDAY, JULY 20, 2020
LOCATION: VIRTUAL ZOOM MEETING
7:00 P.M.

REGULAR MEETING MINUTES

Members Present: Chair Jed Larson , Vice Chair Anne Peterson Crème, Leigh Ann Hutchinson, Scott Person, Susan England (Alternate)

Others Present: Zoning Agent Jim Hallisey, Administrative Assistant Amanda Gibson, Gerry Hardisty, Kevin Arnesen, William Phillips, Andrew Bushnell from Bushnell Associates (joined at 7:57 p.m.) and Board Clerk Linda McDonald

1. Call to Order: J. Larson called the meeting to order at 7:06 p.m.
2. Roll Call / Seating of Alternates: Alternate Susan England was seated for commission vacancy.
3. Additions / Changes to the Agenda: J. Hallisey corrected 52 Hendee Road to 57 Hendee Road in agenda item 5.d.
4. Public Speak: G. Hardisty had positive comments on the new website launched by the Town.
5. New Business
- 5.a Election of Officers (Action Item):

J. Larson explained the PZC By-laws state election of officers take place every two years following a public election. This means that the current slate of officers has one more year left on their terms. No action taken.

- 5.b Receive application of Carma, LLC, 12 Webster Lane, Bolton (mailing address) a.k.a Andover Assessor's map 19/ block 16/lot 1 for two-lot subdivision and set public hearing:

G. Hardisty, representing the applicant, explained this is a simple split of an existing lot of about 3.6 acres. There is an existing house that has been renovated. The owners have received IWWC approval from Bolton and an application is in before the Bolton PZC. They are waiting on IWWC approval from Andover. G. Hardisty says he thinks this application is complete and straightforward.

J. Hallisey said the lot is in two towns, Bolton, and Andover. He reviewed the checklist items. He noted the topographical plan submitted is light and difficult to read. Paper plans are needed for the public hearing. J. Hallisey said the property owners have an application before the IWWC. He noted the fees have been paid. (\$500 for a subdivision under three lots and the \$60 state fee)

G. Hardisty said the septic system as proposed for the new house has approval from Eastern Highland Health District (EHHD). The existing house has to have a septic system repair and that plan has EHHD approval as well.

J. Larson asked if the property in its current state is considered one or two lots. G. Hardisty responded it is one piece of property.

J. Hallisey will review the emergency accessibility of the turnaround area as the driveway is over 200 feet in length.

J. Larson questioned why the IWWC and PZC septic systems plans are different. He said he would expect them to be the same. G. Hardisty responded the IWWC plan will probably be the one used. J. Larson asked G. Hardisty why he does not just use the IWWC plan and ask for a waiver from PZC. G. Hardisty said, if asking for a waiver is appropriate per the regulations, he could do that.

J. Larson noted the existing house sits on what appears to be less than the minimum lot size on the site plan. G. Hardisty said he will address that. He said he knows there is adequate space there for two lots. J. Larson said the drawing needs to be corrected. J. Larson said the rear lot setback is listed at 20 feet but needs to be 50 feet for a conventional subdivision. G. Hardisty said he will check that. J. Hallisey said there are a number of dimensional errors under review.

J. Hallisey said there is a requirement in the subdivision regulations that the applicant needs to address the minimization of energy. He said this could be done with a statement indicating that this was thought of.

J. Larson stressed that anything to support the public hearing on the application must be received at least 10 days before the scheduled public hearing. He said pending IWWC approval at their Aug 3, 2020 meeting, the PZC public hearing could be scheduled for August 17, 2020.

S. England MOVED to receive the application of Carma, LLC, 12 Webster Lane, Bolton (mailing address) a.k.a Andover Assessor's map 19/ block 16/lot 1 for two-lot subdivision and set the public hearing for August 17, 2020 at 7:00 p.m. via the Zoom virtual platform. L. Hutchinson SECONDED. By roll call vote, MOTION CARRIED 5:0:0.

5.c Discussion Item on subdivision vs. Free Cut (a.k.a "first cut"):

J. Larson shared and explained the subdivision regulation history. L. Hutchinson asked if it would be helpful to have a map of the properties that existed in town in 1956 to refer to. J. Hallisey offered to check with the Assessor if such a map exists.

5.d Discussion Item on Application of Lot Width Definition – 57 Hendee Road:

Zoning Agent Hallisey explained he is looking for a way to apply the definition of "lot width" so it works for a pending application to reconfigure a property at 57 Hendee Road. In his memo to the Commission dated July 20, 2020 he wrote: "It appears that at some point a reconfiguration of the road left additional land between the front of the property and the road. As a result, applying the existing regulations (i.e. definitions) would effectively place the building setback line and the point

at which to measure the lot width on the town's property." He presented a copy of the proposed site plan prepared by Bushnell Associates LLC.

Agent Hallisey said he would appreciate whatever guidance the Commission has to offer.

Discussion followed with property owner William Phillips, his representative Andrew Bushnell, P.E., commission members and staff.

Zoning Agent Hallisey proposed the possibility to have the Commission delegate the decision to the Chair. J. Larson said the Commission just received this information right before the meeting and he needs more information. He said he needs more facts and will meet with Zoning Agent Hallisey to discuss further.

- 5.e Annual Report: J. Larson said the annual report is ready to go. He is holding the report until it is needed by the Town and will send the report to the members at that time as well.

6. Old Business:

6.a Revisit Draft Lake Regulations:

J. Larson reported he recently attended the Andover Lake Management Association (ALMA) and Andover Lake Property Owners Association (ALPOA) annual meeting. The minutes from their prior year annual meeting said the Andover Lake regulations had been adopted by the PZC. J. Larson explained to the groups that is not the case. J. Larson said he has been invited to their October meeting to brief them on the progress on the draft regulations. He said he needs a concept of the draft regulations to present to the groups. Consensus of the Commission was to discuss the draft regulations at the August regular meeting.

S. Person said he spoke with Town Administrator E. Anderson and the Town wants to hire back John Valente as a consultant to formalize the Lake regulations. J. Larson suggested a meeting with himself, J. Hallisey and J. Valente so they can make efficient use of the Commission time. J. Larson requested a copy of the draft Lake regulations be sent to each member. Discussion followed on nutrient allocation worksheet application.

7. IWWC Liaison Report:

J. Larson reported that 12 Webster Lane was discussed at the last IWWC meeting. An engineer was hired said Wetlands Agent to review the site. His recommendation to the IWWC was to swap the septic system to be just like it is on the drawings before the PZC and also repositioning the house. He said the Wetlands Agent will meet with Gerry Hardisty to discuss these recommendations.

8. Administrative Report:

J. Hallisey reported he is no longer serving as Wetlands Agent. A new Agent, Joseph Wagner, has been hired. He said the new website is a work in progress and the Town would welcome any feedback from the Commission. He reported the Zoning Board of Appeals (ZBA) needs members as soon as possible as the board is down to three members and needs a minimum of four to decide on appeals.

J. Hallisey said he will add review of the PZC By-laws and Lake Regulations to the August meeting agenda. He said he will check on the progress at gravel pit operation on Route 6, location at Map 33/Block 36/Lot 23 (property east of abutter at 497 Route 6).

9. Approval of Meeting Minutes:

9.a Regular Meeting of June 15, 2020: The minutes of June 15, 2020 were amended as follows:

Page 4, agenda item 5: "5) Prior to the issuance of a building permit the ~~application~~ **applicant** shall file a Notice of Special Permit and the above-mentioned plan in the Andover Land Records."

Page 4, agenda item 8a: "Agenda item 12: J. Larson, S. England, ~~L. Crème~~ **A. Crème, S. England** and S. Person requested hard copies of the updated Zoning Regulations.

L. Hutchinson MOVED to approve the regular meeting minutes of June 15, 2020 as amended. A. Crème SECONDED. By roll call vote, MOTION CARRIED 5:0:0.

10. Miscellaneous Items:

J. Larson asked if a site walk meeting could be arranged for August 1, 2020 at 12 Webster Lane at 9:00 a.m. He asked J. Hallisey to contact G. Hardisty as well and to stake out the septic location as proposed on the plan submitted to the PZC.

A. Crème MOVED to schedule a special meeting site walk for the application of Carma, LLC, 12 Webster Lane, Bolton (mailing address) a.k.a Andover Assessor's map 19/ block 16/lot 1 for two-lot subdivision at 12 Webster Lane on Saturday, August 1, 2020 at 9:00 a.m. S. Person SECONDED. By roll call vote, MOTION CARRIED 5:0:0.

11. Commission Vacancies: J. Larson noted the Commission has one full member and two alternate vacancies. Discussion followed and it was suggested to put a notice regarding the vacancies in the Rivereast weekly paper and include that the meetings are being held virtually. J. Larson expressed appreciation for everyone on the Commission showing up each meeting.

12. Public Speak: No public speak.

13. Commission Open Discussion: L. McDonald commented some of the 7.14.2020 IWWC zoom platform meeting was conducted from the Town Hall Community Room and the audio was difficult to hear. She recommended that, considering the poor acoustics in the Community Room, it not be used to hold future zoom meetings.

14. Adjournment: L. Hutchinson MOVED to adjourn the regular meeting at 8:54 p.m. S. Person SECONDED. By roll call vote, MOTION CARRIED 5:0:0.

Respectfully submitted by Linda H. McDonald

Linda H. McDonald

Please see the minutes of subsequent meetings for the approval of these minutes and any corrections hereto.