

**Town of Goshen
Planning Board
Minutes of June 16, 2022
FINAL**

Planning Board members present (quorum = 3): Alicea Bursey (Chair), Kayla Frink (Vice-Chair), and Steve Bursey

Guest (s): Wayne McCutcheon, Robert Silva (arrived at 7:20pm)

Meeting called to order at 7:00p.m.

Review of Minutes (6/2/2022)

Kayla Frink motioned to accept the minutes of June 2, 2022 “as is”; Alicea Bursey seconded the motion. All were in favor.

Lot Line Adjustment/Annexation

Chair Bursey mentioned to Mr. McCutcheon that she contacted Mr. Greenhalgh and asked him whether he wanted to wait until a full member board could be present, however Mr. Greenhalgh was fine with a smaller group for the discussion.

Wayne McCutcheon (Surveyor) approached the Board to discuss the potential lot line adjustment/annexation on 303 Center Road. The proposed project would be to carve off 6.98 acres from tax map 206, lot 1.1 and annex it to tax map 203, lot 24.1 and would also carve off 3.19 acres from tax map 203, lot 25 and annex it to tax map 203, lot 24.1. The two parcels would be annexed into the back section, adding approximately 10 acres to an existing 81-acre (tax map 203, lot 24.1) lot resulting in a 91-acre lot.

The Board reviewed the updated plats and requested reference information that Mr. McCutcheon presented. The Board had some concerns regarding the transfer of the land and whether the lots could be adjusted under two different entities. There was also some discussion regarding the proposed road frontage and driveway access of tax map 203, lot 24.2 as well as the total combined acreage for that lot.

The Board would like to reach out to the NHMA for further information regarding a lot line adjustment and annexation of land from a parcel of one entity to a different second entity with no sale or conveyance intention. The Board also asked Mr. McCutcheon to update the information of tax map 203, lot 24.2 to show the road frontage and the total acreage which is shown in Reference 4. Recording Secretary will follow-up with the Road Agent regarding information on an existing driveway permit for tax map 203, lot 24.2. The Board will review this additional information at the next meeting on July 7th and determine next steps. No actions were made at this time.

Minor Subdivision (Robert Silva)

Robert Silva approached the Board to discuss a potential minor subdivision on his 21.3 acre lot on 138 Cross Road. Mr. Silva presented a map showing the three different lots that he would like to create (the total subdivision creates two new lots resulting in three total lots at the original site). After some discussion, the Board explained next steps for a minor subdivision and suggested that Mr. Silva contact a surveyor, submit an application and obtain a driveway permit. Chair Bursey will contact the Code Enforcement Officer to check on septic design regulations and perc and soil testing regulations, however, the Board did not believe that the lots

in question would be required to meet separate design septic requirements. Once an application has been submitted and a plat has been received, the Board will further review the project. No actions were made at this time.

Capital Improvement Review

The Board has already received CIP information from the Library and the Police Department. No information has been received from the Road Agent or the Board of Selectman. And the Fire Department has indicated that there are no projects they will submit for at this time. Alternative funding sources are still being researched by Mr. Hebert and will be discussed during a future meeting.

The Planning Board will hold a joint meeting with the Budget Committee and the Board of Selectman on Thursday, July 21, 2022 at 7pm at the Town Hall. The purpose of this meeting is to discuss CIP projects and planning needs for FY23 and help to prepare the requestors, the Budget Committee, and Select Board for budgeting and warrants for FY23. A joint meeting announcement will be drafted and provided to the Budget Committee and Select Board for posting per their regulations.

Member Discussion

Alternate members are still needed for the Planning Board, this topic will remain a standing agenda item until filled. Anyone interested in becoming an alternate member of the Planning Board should stop by any of the Planning Board meetings at the first or third Thursday of the month at 7pm in the Goshen Town Hall. Applications for the alternate position can be found on the Planning Board webpage.

Other Business

- **Driveway Permits:** With the upcoming retirement of the Town's Road Agent, the Board will be taking on the role of reviewing and approving driveway permits until the Road Agent position can be filled. Chair Bursey attended the Board of Selectman meeting on Monday, June 13th and asked the Road Agent, Kevin Bevilacqua for access to the driveway permit records. Mr. Bevilacqua said that he will bring the driveway permit records to the Town Hall.
- **Hersey Pit (Update):** The certified letter was received by Mr. Hersey as the confirmation of receipt green card had been received by the Board. Mr. Hersey has not connected with the Board as yet about possible next steps or intent. The Board will continue to monitor the situation. No further actions were made.
- **Land Use Inquiry:** An emailed response was sent out to Harvey Gabriel Jones (see attached PDF).
- **Driveway Permitting and Wetland Setback:** An emailed response was sent to Cole Gallant (see attached PDF).
- **Minor Subdivision Inquiry:** An emailed response was sent to Robert Silva (see attached PDF).
- **Performance Review for Secretary:** The Board tabled this discussion for a future meeting.
- **Spreadsheet:** The Board tabled this discussion for a future meeting.
- **Next Meeting:** The next meeting will be the first Thursday of the month – July 7, 2022.
- **Joint Meeting:** A joint meeting of the Planning Board, Budget Committee and Board of Selectman to review CIP audit findings and plans will take place on Thursday, July 21, 2022 at 7:00 p.m.

Standing/Upcoming items

- Capital Improvement Plan Review
- Master Plan Review - Pending
- Solar/alternative energy RSA and town regulation discussion - Pending
- Rand Pond Beach Discussion for inclusion in Master Plan - Standing Item
- Member Discussion - Standing Item

- *Budget due December 1, 2022*
- *Annual report due February 1, 2023*
- *Annual audit of CIP (May/June)*

Steve Bursey made a motion to adjourn the meeting. Kayla Frink seconded the motion. All were in favor. Motion passes.

Meeting adjourned at 8:10 p.m.

Respectfully Submitted,
Melissa Salinardi
Recording Secretary

From: Zoning Board zba@goshennh.org
Subject: Re: Building on existing parcel
Date: May 23, 2022 at 9:35 PM
To: Gabriel Jones gabe.jones1969@gmail.com
Cc: Zoning Board zba@goshennh.org

Good evening Gabriel,

Just a standard disclaimer that nothing communicated in this email is representative of any binding opinion or a decision of any Goshen Board. This communication is purely informational. To receive a binding opinion please plan to attend a board meeting and if needed submit a requisite application.

Just to clarify it sounds like your inquiry is specifically about building one home in a very close proximity (reduced setbacks) to a second. When the second home is completed you would tear down the original home leaving only one home on the property, is that correct? Also to clarify, the project would last 3-5 years? Or the project would occur in the next 3-5 years?

Cheers,
Alicea

On May 23, 2022, at 10:06, Gabriel Jones <gabe.jones1969@gmail.com> wrote:

Good Morning

My name is Harvey Gabriel Jones

I am looking to purchase a home (double wide manufactured/mobile home in Goshen with the intention of building a more permanent home at a later date.

I would like to keep the property as undisturbed as possible which would require me to build fairly close to the manufactured/ mobile home.

Once the construction was completed I would be removing the manufactured/ mobile home.

With all this information in mind, would this be something that could be permitted and allowed in the next 3-5 yrs.

From: Zoning Board zba@goshennh.org
Subject: Re: Wetland Setback
Date: June 13, 2022 at 7:33 PM
To: Cole Gallant cole.gallant@maine.edu
Cc: planningboard@goshennh.org, Zoning Board zba@goshennh.org

Good evening, Cole,

Just a standard disclaimer that nothing communicated in this email is representative of any binding opinion or a decision of any Goshen Board. This communication is purely informational. To receive a binding opinion please plan to attend a board meeting and submit a requisite application.

Setback regulations tend to fall under the Zoning Board so I have sent your inquiry to them. Their input is below.

We do not have specific regulations that include distance setback for wetlands.

However, there are regulations at the state level that would need to be followed including the possible need for a DES permit.

In addition to the possible need of DES permitting town regulations require a special exemption for development of wetlands. Where wetlands are concerned, the Goshen Conservation Commission may weigh in as well.

From the Zoning and Building Ordinances section IX.B will trigger input from the Planning Board where impervious space is in excess of 15% or 2,500 sq.ft. Whichever is greater.

The excerpts from the local regulations are copied below, the full regulations can be found on the Goshen website.

Please feel free to email with follow up questions or to join us at a meeting for additional discussion.

Regards,
Goshen Zoning Board

FROM THE SUBDIVISION REGULATIONS:

4.30 WETLANDS

The purpose of this section is to acknowledge the significance that wetlands/prime wetlands have to the Town, and to indicate that Town standards shall be specified toward their protection as described in state statutes, Wetland Board guidelines and Town intent.

The Board will utilize criteria including the following in a thoughtful evaluation process: soils, flora, fauna, food chain protection, hydrology, historical/archeological and/or scientific importance, outstanding geomorphologic features, aesthetics, size, other selected issues appropriate to the protection of these areas.

FROM THE ZONING AND BUILDING ORDINANCES

H. WETLANDS DEVELOPMENT

There shall be no development or improvement in wetland areas without a special exception. The Zoning Board of Adjustment may grant such a special exception if and only if it finds that the application meets the criteria of Section IX, B and, in addition:

- a. That the proposed use is consistent with the intent of these Regulations, and is approved by other agencies or boards which have jurisdiction;
- b. That the proposed use or structure cannot reasonably be located outside the wetland;
- c. That the proposal, considered together with any proposed mitigation measures shall result in no net adverse effect on the natural functions of the wetland, including the capacity to filter pollution, trap sediment, recharge groundwater, retain and absorb chemicals and nutrients, produce oxygen, store and moderate flood waters, and provide habitat for aquatic or wetlands species;
- d. That the proposal adequately protects water quality and quantity, and protects soil from erosion by specifically described erosion control measures; and
- e. That the plan presented represents the feasible alternative for achieving the applicant's objectives with the least impact on the wetland. (Note: In designated Floodplain regions, special provisions of the Town's Floodplain Development Ordinance, as presented in a later section of this ordinance, may be applicable.)

IX. CONDITIONAL USES

The Planning Board may grant a Conditional Use Permit for a use, which is otherwise permitted within the underlying district, if the permitted use is or is involved in one or more of the following:

- A. Storage, handling, and use of regulated substances in quantities exceeding 100 gallons or 800 pounds dry weight at any one time, provided that an adequate plan is in place to prevent, contain, and minimize releases from catastrophic events such as spills or fires which may cause large releases of regulated substances;
- B. Any use that will render impervious more than 15% or 2,500 square feet of any lot, whichever is greater.


In granting such approval the Planning Board must first determine that the proposed use is not a prohibited use and will be in compliance with the Performance Standards as well as all applicable local, state and federal requirements. The Planning Board may, at its discretion, require a performance guarantee or bond, in an amount and with surety conditions satisfactory to the Board, to be posted to ensure completion of construction of any facilities required for compliance with the Performance Standards.

On May 25, 2022, at 15:57, Cole Gallant <cole.gallant@maine.edu> wrote:

Hello,
I was wondering what the wetland setback for building in Goshen, NH is?

Also I was wondering if there is a specific setback for a driveway from the wetlands?

Thanks much.

From: Planning Board planningboard@goshennh.org 
Subject: Fwd: Alicea Bursey, Chairperson; I would like to make a Minor subdivision
Date: June 15, 2022 at 12:38 PM
To: Melissa Salinardi Salinardi7@aol.com

Can you add this to this week's agenda? It actually may already be on there.

Begin forwarded message:

From: Robert Silva <rsilva8657@yahoo.com>
Date: June 15, 2022 at 12:02:59 EDT
To: Planning Board <planningboard@goshennh.org>
Subject: Re: Alicea Bursey, Chairperson; I would like to make a Minor subdivision

I would like to attend that meeting and add me to the agenda AT 7:30pm, Thursday, June 16 in the upper level of the Goshen Town Hall.
thank you

On Thursday, June 2, 2022, 09:47:28 PM EDT, Planning Board <planningboard@goshennh.org> wrote:

Good evening, Mr. Silva,

The Planning Board met this evening and reviewed and discussed your minor subdivision inquiry.

Before I continue, just the standard disclaimer. Though the Planning Board discussed your inquiry no vote or decision was made approving or disapproving any action. This email is not representative of approvals from any Goshen Board as no application was submitted and no vote taken.

As described below the minor subdivision (no more than 3 lots) appears to meet the requirements for subdivision. To move forward you would need to submit a subdivision application.

As you mentioned below, if you would like to meet with the Board before submitting an application that is doable. Our next meeting opening would be at 7:30pm, Thursday, June 16 in the upper level of the Goshen Town Hall. A sketch done on the existing tax map is fine for this discussion.

Items of note that you may already be aware of:

1. Lots smaller than 5 acres will require state septic approval, this is a state requirement
2. Definition of minor subdivision per Goshen subdivision regulations: Minor subdivision shall mean the subdivision of land into no more than three (3) lots or sites, and requiring no new roads, utilities or other municipal improvements. This shall include a subdivision for the purposes of annexation in which there is merely a sale, conveyance, or exchange of adjacent land among two or more owners and which does not increase the number of owners or parcels of land.
3. The link the subdivision application can be found [here](#)
4. The link for the subdivision instructions is [here](#)
5. Driveway permits will be required for each lot
6. The link for the driveway permit is [here](#)
7. The driveway regulations are [here](#)

Please let me know if you would like to attend that meeting and we will add you to the agenda. If the June meeting doesn't work for your schedule we will meet again the first Thursday in July.

Cheers,
Alicea

On May 30, 2022, at 21:11, Planning Board <planningboard@goshennh.org> wrote:

Good evening Mr. Silva,

The Planning Board happens to have a meeting this week Thursday. I'll run it by them and follow up with and specifics they may offer.

Cheer, Alicea

On May 27, 2022, at 05:48, Robert Silva <rsilva8657@yahoo.com> wrote:

Hi Alicea Bursey, Zoning Board Chairperson

I have lived at 138 Cross Rd Goshen NH, 03752 for over 10 yrs. and would like to make a Minor subdivision. My current lot is 21.3 acres with over 900ft of frontage. I have no experience in doing a Minor Subdivision and wanted to reach out to you for your help and advice in getting started.

I would like to apply for a minor subdivision, make the land into no more than three (3) lots or sites, and requiring no new roads, utilities or other municipal improvements. All lots or sites shall abut on a regularly maintained public street with a minimum frontage of 175' and 3ac min lot size. I can do a preliminary layout drawn in pencil with approximate dimensions to clarify the requirements for the subdivision

Thank you for your expertise

Robert Silva

Residential Property Map and lot: 206-008-011 Parcel ID: 568





