

**Town of Goshen
Planning Board
Minutes of September 5, 2024
FINAL APPROVED**

Planning Board members present (quorum = 3): Sebastian Zyzdorf (Chair), Kayla Frink (Vice-Chair), Philip Stasulli, and Derek Tremblay (ex-officio to the Select Board)

Guest (s): Jonathan Bafundi, Doug O'Clair, Ann O'Clair, John Finn, John Van Den Berg, Dianne Craig (Select Board member), James Carrick (School Board member), James Budney, Betsy Budney, Michael Castanha, Debra Stasulli, Carolyn Handley, Heather Peckham, and Ed Peckham

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

**PUBLIC HEARING
Subdivision (Ball Park Road)**

Chair Zyzdorf welcomed everyone to the public hearing and explained that Mr. Bafundi was representing Mr. Hertel, the owner of 332 Ball Park Road (Tax Map 402, Lot 11). Chair Zyzdorf opened the floor to Mr. Bafundi to present the proposed subdivision.

Mr. Bafundi explained that the intent was to subdivide the 108 acre property into six lots. He stated that selective cutting would also take place before the sale of the lots. No plans to build and no driveway permit applications will be submitted at this time and all building plans would be left up to the new owners of the lots.

Philip Stasulli asked Mr. Bafundi to point out any changes to the newly presented map. Mr. Bafundi stated that the overall map is the same with the exception that the area has now been surveyed and pins have been set and the map now indicates the wetland areas and topography. He stated that a soil test will be done for each parcel and the results will be displayed on the final plat.

Derek Tremblay commented on the selective cutting versus clear cutting and noted that the Board of Selectmen received an intent to cut that stated the timber would be cut from roughly 90 acres of the property. He asked for clarification as to whether a larger portion of the timber would be cut. John Bafundi stated that he was not aware of the logging/timber side of things but that the plan was to do a selective cut and not a clear cut. John Bafundi added that the selective cutting would most likely take place before the sale of the lot so that proper listings can be advertised. Philip Stasulli asked if cutting the timber made the land more valuable and John Bafundi stated that it did not make the land more valuable. Sebastian Zyzdorf added that the Board had concerns regarding the environmental impact of the timber cut and wanted to make sure that the cut was done according to the regulations. Mr. Bafundi again mentioned that a clear cut would not be beneficial for the sale of the lots as many people may want the forest land on their property.

Derek Tremblay asked if any consideration was given to the fact that Ball Park Road is currently a dead-end road. John Bafundi stated that this was a positive selling point that he believes many people will appreciate.

Philip Stasulli pointed out a few minor changes that needed to be made to the subdivision map. The Board reviewed the preliminary map but had no further questions.

Sebastian Zyzdorf mentioned that the Goshen Subdivision Regulations under Section 4C.01 Future Subdivision or Re-Subdivision of Subdivided Land state, *“For a period of 7 years following the approval of any subdivision under these regulations, any application to further subdivide or re-subdivide any portion of the land for which the approval was granted shall be reviewed as a major subdivision. Such a new application shall not be evaluated in isolation, but rather shall be treated for review purposes as a modification of the already approved subdivision, with all substantive regulations being applied to the combined impacts and effects of both applications as a unified whole.”*

Mr. Zyzdorf added that it had been previously discussed to add the above clause into the deeds so that future buyers are aware of Goshen’s regulations. Mr. Bafundi did not see any reason to not include the clause into the future deeds.

Chair Zyzdorf opened the floor to the public for questions or concerns.

Doug O’Clair, an abutter and former Planning Board member, mentioned that the regulations used to require fire suppression or fire pond installation, test pit data, and receiving areas for septic’s. He encouraged the Board to make sure that these topics were addressed in the subdivision plans.

James Carrick stated that he was speaking as a resident and not as a representative for the Goshen School Board, which he is a member of. He stated that, in his opinion, he thinks that other departments in the Town should be contacted to be made aware of the potential subdivision as there will be impacts to all departments. He expressed concern that the lots will eventually lead to an increase of students which will put a strain on the tax payers. He encouraged the Board to contact the School Board along with other Town departments and take into consideration the impact this subdivision will be on the other departments.

Carolyn Handley, an abutter, had concerns about how close the logging would be to her property. She expressed that she did not want any trees along her property to be removed. Johnathan Bafundi stated that whatever the guidelines and regulations were, the logging company would adhere to those restrictions and cut accordingly.

Ed Peckham, an abutter on Ball Park Road, asked what the requirements were for clear-cutting a person’s land. Derek Tremblay and Philip Stasulli mentioned that many of the timber regulations come directly from the state. Philip Stasulli added that the University of NH had a very useful guideline that explains the different regulations for property owners and explains that a person cannot cause erosion that contributes to a water body. He further stated that it is important that the logging company be aware of the regulations and that they follow-through with the proper

requirements. Derek Tremblay mentioned that a road bond may need to be issued and added that no information on road bonds were found by the Board. Doug O'Clair and James Carrick weighed in and stated that there may be information from previous road bonds done on past projects including one from Mr. O'Clair's own previous development.

James Budney of Ball Park Road, asked for clarification on the clause of the future subdivision, 7-year clause. Sebastian Zyzdorf read the clause again pointing out that if changes were proposed, the whole project would need to be submitted again as a major subdivision.

John Finn of Ball Park Road, expressed concern about the integrity of the road and impact to the environment with the logging of the property. He thought that the regulation regarding the future subdivision needed clarification as it could be understood two ways. He also agreed that the amount of timber being cut should be clarified.

Chair Zyzdorf asked if there were any more questions or concerns. None were made by the Board or the public.

Chair Zyzdorf stated that this current Board is a "young board and they want to make sure everything is done right." He stated that the Board would like to contact the other departments in the Town and gain further clarification on the fire pond requirements, logging amount, and road bond. He continued by stating that the Board would like to see the test pit data and have a site inspection before final approval. They would also like to see the future subdivision clause placed somewhere in the appropriate documents. The Board would also like to further investigate whether a receiving area for the septic should be on the final plan.

Johnathan Bafundi added that they will be trying to preserve the existing barn by doing small interior remodeling and that there was no intention to demolish the barn at this time.

Carolyn Handley asked where the fire pond would go. Ed Peckham thought that a fire pond might not be needed. Doug O'Clair mentioned that a fire suppression plan may need to be added into the deed. Johnathan Bafundi stated that some of the concerns that were mentioned during the meeting can be added into the deeds before final sale of the lots.

Dianne Craig asked how many wetland acres were on the map. Philip Stasulli and Kayla Frink observed that the wetlands were identified but no acreage amount was stated.

Kayla Frink thanked everyone for coming.

Chair Zyzdorf stated that the Board was not going to approve anything at this time but rather reconvene after further information can be obtained and all Town departments are notified.

Philip Stasulli stated that he will abstain from votes regarding the major subdivision as he is also an abutter.

Derek Tremblay motioned to table the discussion of the major subdivision of 332 Ball Park Road until the October 3, 2024 meeting. Kayla Frink seconded the motion. All were in favor; motion carried, 3-0. Philip Stasulli abstained.

The Board will follow-up with an email to Mr. Bafundi regarding the action items discussed during the meeting. Mr. Bafundi stated that the owner of the property does not generally like to alter the environment drastically, his intent is to carve out places for people to live.

Kayla Frink asked if Mr. Hertel, the owner, would like to be present for the October 3rd meeting. Mr. Bafundi will invite Mr. Hertel to the meeting.

Chair Zyzdorf ended the public hearing at 7:58 pm. The Board continued with other agenda items.

The Board discussed a on-site visit to 332 Ball Park Road during their next meeting on September 19th.

Derek Tremblay motioned to hold an on-site inspection at 332 Ball Park Road on September 19, 2024 at 6:00 pm. Kayla Frink seconded the motion. All were in favor; motion carried, 4-0.

Master Plan

The Board discussed the draft Master Plan survey questions that were presented to them through email by Vickie Davis of the Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC). They discussed the length of the survey and the fact that it may be too long as presented. The Board made edits that they will present to Ms. Davis through email correspondence. The Board also discussed receiving clarification from Ms. Davis on the services that will be provided by the UVLSRPC. No further actions were made at this time.

Review of Minutes (8/15/24)

Kayla Frink motioned to accept the minutes of August 15, 2024 ‘as is’; Philip Stasulli seconded the motion. All were in favor-yes; motion carried, 4-0.

Member Discussion (ongoing)

Additional alternate members and full-time 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 or well full-time 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 Permit:** A driveway permit was submitted for a property located at 12 Cross Road (Tax Map 206, Lot 9). Ms. Carolyn Stiles is requesting to move her current driveway to

another portion of her property. The Board will invite the Road Agent to the next meeting on September 19th and discuss this application further.

- **Regulation Review:** Tabled until a future meeting.

- **Upcoming Meetings:**

Melissa Salinardi mentioned that she will not be available to record minutes during the September 19th meeting. Derek Tremblay volunteered to record the minutes for that meeting.

The next meeting of the Planning Board will be the second Thursday in September – September 19, 2024.

- **Capital Improvement Plan (CIP):** An email was sent to department chairs but no responses have been received at this time. The Board will discuss this at a future meeting.

Standing/Upcoming items

- Master Plan Review – In Progress
- Capital Improvement Plan
- Regulation Changes – Culvert Maintenance (Pending)
- Excavation Permit Renewal Period – Discussion to be had in the Summer/Fall 2024
- Rand Pond Beach Discussion for inclusion in Master Plan - Standing Item
- Member Discussion - Standing Item
- *Budget due November 1, 2024*
- *Annual report due January 1, 2025*
- *Annual audit of CIP (May/June)*
- *Annual review of the Master Plan CRF (November 1, 2024)*

Derek Tremblay made a motion to adjourn the meeting. Philip Stasulli seconded the motion. All were in favor-yes; motion carried, 4-0.

Meeting adjourned at 8:37 p.m.

Respectfully Submitted,
Melissa Salinardi
Recording Secretary