

**Town of Goshen
Planning Board
Minutes of October 5, 2017
FINAL**

Planning Board members present: Alicea Bursey (Chair), Bruce Nadeau (Vice-Chair), Doug O'Clair, Fred Smith, George Hebert, and Stephen Bursey

Guest (s): Debbie Hebert, Mark Loehr, Ray Critch, Don Bailey, Bob Bell, Shaun Carroll, Jr., Kathy Carroll, and Brad Stevens

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

Meet with Mark Loehr (Mountain Reach)

Mark Loehr, with the Mountain Reach Property (formerly the Dorr property), presented the board with documents and blueprints of the property as well as conceptual plans for possibly moving forward with a different version of the previous Mountain Reach project. The plans that were shown had been approved in 2008 for four condo units with a six year life span on the permit, however that permit has since expired. The original goal of Mr. Loehr was to turn the parcel of land into 27 condo units. At this time, Mr. Loehr is exploring the option of a subdivision to create a total of three (3) lots on the existing property where up to nine (9) condo units may be built. The goal is to align the new condo design/layout with zoning regulation changes that have occurred since the original permit was issued. Mr. Loehr intends to keep a portion of the property that will remain with the existing house. Mr. Loehr wanted to bring this before the board and discuss what the next steps for this project would be.

Doug O'Clair stated that this could possibly be a minor subdivision and would have to be reviewed and approved before any work could take place. He also stated that the already existing roads would have to meet town regulations (see page 16 and 48 in the Subdivision Regulations). Additionally, Chair Bursey read section 2.39 Subdivision, Minor from the Goshen Subdivisions Regulations to help clarify the difference/needs between a minor and a major subdivision.

The board agreed that before any further steps were made, proper procedures must be gone through; Mr. Loehr was directed to the appendices of the Subdivision Regulations for procedural steps of a subdivision. Plans for the new proposed property must be drawn and an application for the subdivision must be made with the town before the board can review and vote on any changes.

Mr. Loehr will go forward with the necessary steps. No further action was made at this time.

Newport Sand and Gravel Anderson Pit Amendment

Chair Bursey reminded the board that the reason an amendment to the permit was being filled was due to a mistake that was made by a previous board when writing the permit. It had always been the intent of the previous board to have hours of operation match that of the Davis Pit, however, those hours were not properly recorded in the new permit. The concern and changes that are being requested are specifically for the hours of operation for the Anderson Pit. Currently the permit hours of operations are 7am-5pm, Monday-Friday. Chair

Bursey read the following from the Davis Pit permit which allows for a conditional warm up starting at 6:45am as follows:

- **Hours of Operation.** Hours of operation on the site are limited to weekdays from 7:00 a.m. to 5:30 p.m. Operation on weekends (Saturdays and Sundays) and on state and national holidays shall be on an “emergency basis” only.
- The term “operation” includes the operation of any heavy motorized equipment or vehicles or the use of back-up warning devices or other noise-generating devices. It includes excavation activities, including the moving of any excavated material through, on or from the site, as well as any noise-generating activity ancillary to excavation, including land clearing or reclamation, which generates noise from power equipment such as bulldozers or chainsaws, whether such activities are performed by Guildhall Sand & Gravel employees, by contract personnel, or by any other parties. The term does not include the use of personal passenger vehicles to access or inspect the site, normal conversation, or routine Saturday morning (8:00 a.m. to 12:00 noon) maintenance of equipment left on site, which does not involve any moving of equipment.
- The applicant may begin the warming up of the loader engine at 6:45 a.m. on weekdays, as long as the loader is located in such a place that noise from this preparatory activity will not be noticeable to abutters and neighbors.
- The term “emergency” means a crisis or accident that requires the use of equipment or material to rescue or protect personal lives or property. Any operation which occurs under the “emergency” provision shall be reported to the Goshen Board of Selectmen, with a written explanation of the emergency, within seven days.
- Noise Control: Noise shall be reasonably controlled so as not to adversely affect the use or enjoyment of adjoining properties. In particular, the following measures shall be employed at a minimum:
 - o The use of a discretionary backup beeper on the loader.
 - o The maximum use of hand signals or other silent means, rather than vehicle horns, for communicating among personnel within the excavation site.
 - o The directing of the flow of traffic such as to minimize the need for vehicles to back up within the excavation site.
 - o Compliance with the “hours of operation” as set forth in the Town of Goshen’s Excavation Regulations dated April 2004.

Shaun Carroll, Jr: *Stated that he was comfortable with the 6:45am start-up time and these conditions. As long as the loader would be able to be started for warm-up.*

In order to move forward, the board had to take a vote to consider the application as complete.

Bruce Nadeau motioned to consider the amendment application presented by Newport Sand and Gravel for the Anderson Pit as complete. Fred Smith seconded the motion, all were in favor. The board will move forward in the application process.

Bruce Nadeau: *Stated that he had went down shortly after the last meeting, without anyone knowing, to listen to the activity and sounds of the pit. However, as others had stated in previous meetings, he did not hear excess sounds.*

Shaun Carroll, Jr: *Stated that a different back up alarm had been purchased and was being used right now. The new noise generated is called "white noise" and is meant to be quieter and not as obtrusive to a person's hearing. He hopes that this will help with noise concerns.*

The board will continue to move forward and review the amendment that was filed.

The annual Anderson and Davis inspections will take place this Saturday, October 7th at 8am.

Review of September 21, 2017 Meeting Minutes

Doug O'Clair motioned to accept the minutes from September 21, 2017. Bruce Nadeau seconded the motion. All in favor, minutes approved "as is."

Update of Contact List

The board updated the contact list to show current terms and contact information for each member. While reviewing all members terms, the board was made aware that Stephen Bursey's term as alternate had expired.

Bruce Nadeau made a motion to accept Stephen Bursey as an alternate for the Planning Board. Fred Smith second the motion, all were in favor. Stephen Bursey will continue to act as alternate for the Planning Board, Chair Bursey abstained from voting.

Review of Recreation District Wording

Chair Bursey reminded the board the reason they were reviewing and making changes to the recreation district wording was due to the most recent situation that arose with the Mt. Sunapee 3D Archery range (see 9-7-17 Minutes). Upon review of the regulations, the board agreed that clarity was needed so that future problems would not arise.

On page 5 of the Town of Goshen Zoning and Building Ordinances (2014) the Planning Board proposes to add the following wording to section **A.4.b Uses Permitted (subject to site plan review approval by the Planning Board): A.4.b.19 Anything not specifically listed above needs approval from the Planning Board and/or Zoning Board. No wording is proposed to be removed or otherwise altered in this section.**

The proposed wording will be presented during a public Planning Board hearing on December 7th at 7pm at the Town Hall. Any resident is welcome to attend and voice their concerns if necessary. The proposed wording will then be presented and voted on during the Town meeting in March 2018.

Doug O'Clair made a motion to present the proposed wording during the public hearing scheduled for December 7, 2017. Bruce Nadeau seconded the motion, all were in favor. The wording will be presented during the Dec. 7th, 2017 public hearing.

Other Business

- The next meeting will be the third Thursday of the month - October 19th.
- Chair Bursey may not be at the next meeting. If she is not present, Vice-Chair Bruce Nadeau will act as acting chair.

Standing items

- Review the amendment request presented by Newport Sand & Gravel Pit (Discuss and take vote).
- Invoice discussion for permit amendment (Discuss and take vote).

**Bruce Nadeau motioned to adjourn the meeting; George Hebert seconded the motion, all were in favor.
Meeting adjourned at 7:59p.m.**

Respectfully Submitted,

Melissa Salinardi
Recording Secretary