

Approved: \_\_\_\_\_  
Approved with changes: \_\_\_\_\_  
Unapproved: \_\_\_\_\_

**Effingham Planning Board  
Meeting Minutes  
September 3, 2020  
(via video conference call)**

**Members Present:** Theresa Swanick (chair), George Bull (vice-chair), Gary Jewell (recording secretary), Grace Fuller, Paul Potter, Elaine Chick, Mark Hempton (alternate), Mike Cahalane (selectman's rep).

**Members Absent:** None.

**Others Present:** Rebecca Boyden, Bryan Berlind, Erik Jones, Doug MacGuire, Eric Spofford, Scott Sasserson.

Meeting called to order at 6:00pm. Quorum present.

**Minutes**

The PB reviewed the minutes from 5/21/20.

**Grace Fuller made a motion to approve the 5/21/20 minutes as written. Elaine Chick seconded the motion. A roll call vote was taken. George Bull- aye, Elaine Chick- aye, Grace Fuller- aye, Paul Potter-aye, Mark Hempton- aye, and Theresa Swanick- aye. The vote was unanimous, and the motion passed.**

The PB reviewed the minutes from 8/6/20.

**Grace Fuller made a motion to approve the 8/6/20 minutes as written. George Bull seconded the motion. A roll call vote was taken. George Bull- aye, Elaine Chick- abstained, Grace Fuller- aye, Paul Potter-aye, Mark Hempton- abstain, and Theresa Swanick- aye. The vote was 4-0-2, and the motion passed.**

The PB reviewed the minutes from 8/20/20.

**Grace Fuller made a motion to approve the 8/20/20 minutes as written. Elaine Chick seconded the motion. A roll call vote was taken. George Bull- aye, Elaine Chick- aye, Grace Fuller- aye, Paul Potter-aye, Mark Hempton- aye, and Theresa Swanick- aye. The vote was unanimous, and the motion passed.**

**Lot Merger**

The town of Effingham would like to merge 2 lots on Bailey Road. They are identified as TM 101-54 and 101-55.

**Elaine Chick made a motion to approve the lot merger as presented. Grace Fuller seconded the motion. These are town owned properties and there is no mortgage on either property. A roll call vote was taken. George Bull- aye, Elaine Chick- aye, Grace Fuller- aye, Paul Potter-aye, Mark Hempton- aye, and Theresa Swanick- aye. The vote was unanimous, and the motion passed.**

**Old Business**

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The ADU application that was previously reviewed has received a new approved Septic Design. The new system has approval but does not need to be installed until the existing system fails. None of the PB have seen the approved septic system design and the ADU approval was tabled until the next meeting.

PB members Mike Cahalane and Gary Jewell joined the meeting.

**Public Hearing**

3-Lot Lot Line Adjustment Application for Murray on Highwatch Road (at the Route 25 end of the road.) The PB reviewed the checklist and found it to be complete.

**Grace Fuller made a motion to accept the Murray application as complete. George Bull seconded the motion. A roll call vote was taken. George Bull- aye, Elaine Chick- aye, Grace Fuller- aye, Paul Potter-aye, Gary Jewell- aye, Mike Cahalane- aye, and Theresa Swanick- aye. The vote was unanimous, and the motion passed.**

Bryan Berlind was attending to present a 3-lot Lot Line Adjustment Application for Murray. Mr Murray owns 3 parcels of land and would like to change the lot lines between them. The lots are identified as TM 202-2, 202-3, & 202-6. There are 2 dwellings on lot 202-3. The lots remain the same acreage, however become more usable and the dwellings are split onto separate lots.

Mr Berlind asked for 2 waivers. The first is to not require a Certified Wetland Scientist to delineate the wetlands. This is reasonable because no new lots are being created. Only moving the lines between the 3 lots. The second is to not require soils testing. This is not necessary for a lot line adjustment.

George Bull asked where the Class-VI portion of Highwatch Road begins. He noted that appears to begin at the brook culvert just beyond the property.

Rebecca Boyden noted that she is trying to get Class-VI roads delineated on the town maps. She also believes that the Class-VI portion begins around the culvert, which is where the condition of the road deteriorates.

George Bull wants to be sure that the PB does not unintentionally add any Class-V road to the town.

Gary Jewell noted that the entire road was likely a Class-V road when the lots were created years ago. They are not changing anything.

Mike Cahalane noted that there are 2 structures on the same lot. If this is approved the two structures will be on separate lots.

The quadrangle rule was inadvertently left out of the most recent subdivision regulations.

Lot 202-3 is currently for sale.

Highwatch Road may only be a summer-maintained road and not a year-round maintained road.

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George Bull noted that 202-3 is not a pretty lot, but it is a better lot with the lot line adjust.

The mobile home was placed on the lot in 1990, the house was constructed in the early 1980's as best as can be remembered.

Mike Cahalane noted that the PB does not have a leg to stand on without the quadrangle rule.

No change in the status of the road is proposed.

Waiver #1 for no wetland scientist was discussed.

**George Bull made a motion to accept the waiver request. Mike Cahalane seconded the motion. A roll call vote was taken. George Bull- aye, Elaine Chick- aye, Grace Fuller- aye, Paul Potter-aye, Gary Jewell- aye, Mike Cahalane- aye, and Theresa Swanick- aye. The vote was unanimous, and the motion passed.**

Waiver #2 for **no** soil perc test requirement was discussed.

**George Bull made a motion to accept the waiver request. Mike Cahalane seconded the motion. A roll call vote was taken. George Bull- aye, Elaine Chick- aye, Grace Fuller- aye, Paul Potter-aye, Gary Jewell- aye, Mike Cahalane- aye, and Theresa Swanick- aye. The vote was unanimous, and the motion passed.**

George Bull wanted to make sure that no change in the status of the road happened as part of this application. Bryan Berling said that he would add a note # 12 to the plan that "No change in the status of Highwatch Road is proposed or intended with this lot line adjustment plan."

**George Bull made a motion to conditionally approve the application with two waivers, the note about the no change in road status being added, and that all monuments are shown on the final plan. Grace Fuller seconded the motion. A roll call vote was taken. George Bull- aye, Elaine Chick- aye, Grace Fuller- aye, Paul Potter-aye, Gary Jewell- aye, Mike Cahalane- aye, and Theresa Swanick- aye. The vote was unanimous, and the motion passed.**

**Preliminary Consult (Green Mountain Treatment Center)**

Doug MacGuire from the Dubay Group out of Londonderry was in attendance to explain the possible expansion of the Green Mountain Treatment Center (GMTC). Also in attendance was Eric Spofford, GMTC's CEO, and Scott Sasserson, GMTC's CFO.

Doug MacGuire reviewed the existing facility, including the 71-acre parcel that the facility sits upon, 16 existing buildings and their uses.

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He noted the proposed location of the 15,300 square foot 'Granite Recovery Center' and associated parking location. He noted this is a 36-bed treatment center. He pointed out that there is medical facility within the proposed building which should help provide onsite treatment in many circumstances and reduce the number of medical calls to the facility.

Grace Fuller asked how many additional beds are proposed and if they would have 24 hour a day care.

Doug MacGuire noted that they would be adding 36 new beds to the existing 88 bed facility for a total of 124 total beds.

Rebecca Boyden noted that they took over the pre-existing Lakeview Facility and that it was a grandfathered use.

George Bull agree that this was a grandfathered use and that clearly this would be an expansion of a non-conforming use requiring a variance.

Mike Cahalane noted that a special exception may cover the expansion of the use.

The medical facility would have more staff, including nurses and doctors.

George Bull noted that we would need a clear idea of beds, staff, etc.

Doug MacGuire noted that they would provide clear quantity of parking, patients, staff, etc.

Rebecca Boyden noted that a variance may be required not just a special exception.

Doug MacGuire noted that there is no change of use, only an expansion of use with improved facilities.

Eric Spofford noted that the group owns 15 of these facilities. The patients are Americans with Disabilities Act (ADA) protected class of citizens. Reasonable accommodation should be made for these citizens. The facility will benefit the town and will reduce the burden on town services.

Theresa Swanick noted that improvements may or may not help with the application.

George Bull noted that the PB cannot entertain an application without them first receiving zoning relief. They are grandfathered, but this is clearly **an** expansion.

Gary Jewell asked how the expansion would reduce emergency calls.

Eric Spofford noted that additional medical facility capabilities would reduce medical calls. An example would be that a seizure would be able to be handled in house. With a doctor in house, the facility can handle a wider range of medical situations in house.

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Rebecca Boyden noted that fair housing may not apply to commercial facilities.

Mike Cahalane said he would look into the ADA requirements.

Elaine Chick asked if all clients were inpatient clients. (Was this question answered?)

It was mentioned that it is a shame to lose the apple orchard.

Doug MacGuire noted that there would still be plenty of apple trees on the property.

Eric Spofford noted that they would be happy to give away the apple trees to town residents.

Paul Potter noted that he walked the original High Watch facility back in 1986. He asked whether there would be ample water, sewer, and electricity available on the property.

Doug MacGuire noted that they have a community water supply and the well yields in excess of 100 gallons per minute. There is ample lot loading available to handle the sewer loading. They will need to calculate the required electrical requirements when the design process is a little further along.

Elaine Chick asked if there was a second floor.

Doug MacGuire noted that there is no second floor and that the higher windows provide additional ambient lighting.

He also noted that his clients will first deal with the zoning issues.

Grace Fuller asked if the clients are there voluntarily.

Doug MacGuire noted that all clients are there voluntarily for alcohol and/or drug treatment. None are court ordered, no violent criminals, no sex offenders, no arsonists.

They constantly receive calls and are not able to help everyone due to space limitations. Rebecca Boyden asked if they have statistical reports of the treatment's success.

Eric Spofford noted that they cannot always follow up with their clients.

Mike Cahalane asked what is the nonconformity of the facility.

Rebecca Boyden answered that the use is not on the list of permitted uses. It was also noted that some of the improvements currently on site did not receive town approval.

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**Accessory Dwelling Unit (ADU) Approval**

The checklist and septic approval for the ADU application were reviewed.

Mike Cahalane was not necessarily comfortable with building first and then receiving ADU approval.

Elaine Chick asked if it met the 50-foot setback. It was noted that the existing building may be closer than 50 feet to the road and as long as the addition is no closer, they are all set.

**Grace Fuller made a motion to approve the ADU as presented. The motion was seconded by Paul Potter. A roll call vote was taken. George Bull- aye, Elaine Chick- aye, Grace Fuller- aye, Paul Potter-aye, Gary Jewell- aye, Mike Cahalane- aye, and Theresa Swanick- aye. The vote was unanimous, and the motion passed.**

**Adjournment**

**A motion was made by Grace Fuller to adjourn the meeting. The motion was seconded by Elaine Chick. A roll call vote was taken. George Bull- aye, Elaine Chick- aye, Grace Fuller- aye, Paul Potter-aye, Gary Jewell- aye, Mike Cahalane- aye, and Theresa Swanick- aye. The vote was unanimous, and the meeting adjourned at 9:03pm.**