

Minutes
Planning Board Meeting
April 4, 2008

Members of the Planning Board in attendance were Charlie Moreno, Chairman, Paul Eaton, Jim Graham, Don Rhodes, Lynn Sweet, and Kate Sawal, Alternate member.

The Chairman called the public meeting to order at 7:38 PM and announced the members present. The closing date for applications to appear on the agenda for the April 3, 2008 regular meeting will be 5 p.m., Monday, March 17, 2008. The Chairman reminded the audience that the Board has a policy setting time limits for meetings and that the Board will not consider any new business after 10:30 PM. It was agreed to postpone review of the minutes.

The first item of continuing business was the application of BOULDERS at STRAFFORD LLC and RICHARD NELSON for the 58-lot subdivision (75-lot yield plan conditionally approved at June 2005 meeting) of their properties located on Pig Lane and Range Road (Tax Map 12, Lot 2 and Lot 42, Owners: Boulders at Strafford LLC, Tax Map 8, Lot 20, Owner: Richard Nelson). There was nobody present for this item. It has been agreed that there will be no further discussion of this item with the Planning Board until we have received a decision on our application to the CELCP program for funding for a conservation buyout of this property through the Trust for Public Lands.

The next item of continuing business was the application of JAMES N. LUND for boundary adjustment of 10/12/14, 31 and 35 Lund Drive and Second Crown Point Road (Tax Map 19, Lots 28-1, 28-4, 28-6, and 28-7). Jon Berry had submitted a letter requesting further continuation; discussion will be continued to the next meeting.

The next item of business was the application of CARL S. and JOANN BROWN for 2-lot subdivision of their property located on Province Road (Tax Map 7, Lot 33). Applications for state driveway approval and state septic approval are still pending. Further discussion will take place at the next meeting.

The first item of continuing business was the application of WILLIAM and THOMAS TRACY for boundary adjustment between their two properties (Tax Map 25, Lots 20 and 24) and Fire Lane 36/Town of Strafford (Tax Map 25, Lot 21). This application was also under review by the Zoning Board of Adjustment because the proposal involves boundary adjustment of existing non-conforming lots; the proposal was conditionally approved by the ZBA on February 11, 2008. The Planning Board conditionally approved the plans at the February 7, 2008 regular meeting, with the condition that the applicants should return before the full Board for final review. David Whitcher presented revised plans and a memo from McEneaney Associates recapping the changes requested by the Board. Mr. Whitcher also advised the Board that Nancy Farinella sold and quitclaimed any residual interest owned by the Caswell family to the Tracys by deed dated 3/3/08. The Chairman reviewed the revised plans and the memo. A discussion of the elevation of Bow Lake followed; the lake is now labeled as an "assumed datum". Don Rhodes noted that he was concerned that the plan topography was based on David Allain's septic plan, but it was noted that McEneaney will be responsible for the plans. There was some discussion about the remainder piece of Lot 21, which is now labeled as "to be conveyed to Ed Kelly". It was agreed that this area should still be labeled as Lot 21, and it was noted that the Kellys could merge this lot into their lot at a later time under the provisions of the voluntary merger statute. Mr. Whitcher noted that he has a sample deed for the new ROW easement, but that there would be no other signed deeds until after the plans have been signed. He then submitted a signed deed from Joan Joffres, an email from the Palmer family, and an email from Ed Kelly, noting that these abutters are all indicating agreement. Atty. Denis Robinson then addressed the Board, advising that he was present to represent the Pratley family, abutters to the project. He noted that the Tracys have not yet agreed to the conditions that the Pratleys would like to see for their assent to the project. A discussion of the proposed joint septic system followed, with Mr. Whitcher noting again that designs for a joint septic system serving both the Pratleys and Tracys have been approved by DES. It was noted again that the Pratleys are not part of the current proposal, and are not obligated to participate in the joint septic system. Atty. Robinson then submitted a letter to the Board on behalf of the Pratleys. He noted that there is no reason to assume that the Caswell heirs own the ROW, and noted that under NH law,

abutters own to the middle of the road, which would mean that Mrs. Pratley would also have an interest in the ROW. He noted that they are not looking for the Board to decide ownership, but they think that the Board should see what people want to do. The Chairman agreed, noting that it is in everyone's interest to work this out.

Atty. Robinson then suggested that he could send in an agreement between the Pratleys and Tracys that the Board could sign. Board members agreed that another meeting would be unnecessary. Don Rhodes noted that it still may not be quite clear what needs to happen, and said that he wanted the minutes to be crystal clear regarding the steps still needing to be addressed. He noted that he felt that enough of the issues raised at the previous meeting had been addressed, so that it would not be necessary for the applicants to come back before the Board. Don Rhodes then summarized the discussion so far, stating that there has to be written agreement that the Pratleys are in agreement with the project, noting that there is some question who owns the ROWs. He said that if there are letters from all the abutters, the letters would address that issue. Board members agreed that there should be signed letters of agreement from all of the abutters regarding the relocation of the ROW. Finally, the remainder of the ROW should be shown in bold outline and should still be labeled as Lot 21. Board members agreed that it is better to work out these issues now rather than in court at a later date. Finally, it was agreed that copies of the signed and recorded quitclaim deeds and new easements should be submitted to the Board once they are concluded to complete the Board's files on this case.

The next order of continuing business was the application of GRANITE STATE REALTY TRUST for Design Review for a 6-lot Conservation Development of land on Canaan Road and Back Canaan Road (Tax Map 4, Lot 83-1). Randy Orvis, and Ashley Rowe presented two revised conceptual sketches, showing one acre lots. General discussion followed, with Board members suggesting several different possibilities for layout options. Mr. Orvis noted that the developers are concerned about the total length of the road due to construction costs. Board members agreed that total length of the proposed driveways to the back lots is also a concern. Board members agreed that a 60 foot radius for the cul-de-sac would work here, given the number of lots, and suggested a design that moved the cul-de-sac just past the wetlands area, allowing closer access to the lots in the back field area. Board members also encouraged Mr. Orvis to try and keep the entire development on the near side of the stone wall at the rear of the field area, if possible, in order to use the stone wall as a natural boundary.

The first item of new business was the application of Public Service Company of New Hampshire for a Public Hearing in accordance with NH RSA 231: 158. Public Service Company of New Hampshire has requested permission to remove trees and trim trees in order to construct a new power line to serve a new residence on Tax Map 9, Lot 12-11, located on Parsons Hill Road, a designated Scenic Road in the Town of Strafford. Jeff Enman of PSNH was present to present the proposed tree trimming project. The Szumieszs, who are building the new home on Lot 12-11, were also present. It was noted that the Road Agent had advised PSNH to request the hearing. The trees to be removed have been marked with green ribbon, although it may be hard to see the ribbons due to the snow accumulation. There are about 15 to 16 trees, some only 4 to 5 inches in diameter. The only large tree is a 24 inch pine that is leaning over the road. Mr. Enman advised that PSNH has received landowner permission to remove the trees. The Chairman then opened the public hearing. There were no comments. The Chairman then closed the public hearing. Jim Graham then made a motion to approve the cutting of trees on Parsons Hill Road per the plan submitted to the Board, with the understanding that PSNH will come back for the stumps after the snow has melted so that the stumps will be cut down to ground level at the completion of the project. The motion was seconded and the Chairman called the vote. The vote was unanimous in the affirmative. Mr. Enman was advised that the Chairman would send a letter confirming the decision.

Board members then reviewed recent correspondence. Board members briefly considered a letter proposing a farmers' market in the Bow Lake area during the summer, tentatively to be located at the Waldron Store. Board members agreed that the market would be in keeping with Strafford's agricultural zoning, and suggested that the market hours be scheduled to avoid traffic congestion when the Bow Lake Church services are ending. After a brief discussion, Charles Moreno and Paul Eaton agreed to serving on the Strafford Regional Planning Commission. There being no further business, a motion to adjourn was made and seconded. The meeting adjourned at 10:30 PM.